PB-234 141

# FRESNO'S MUNICIPAL SOLID WASTE MANAGEMENT SYSTEM. A CASE STUDY

Applied Management Sciences, Incorporated

Prepared for:

Environmental Protection Agency

1973

DISTRIBUTED BY:

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U. S. DEPARTMENT OF COMMERCE
5285 Port Royal Road, Springfield Va. 22151

**BIBLIOGRAPHIC DATA SHEET**

1. Report No. EPA/530/SW71c

2\.

PB 234 141

4. Title and Subtitle

Fresno's Municipal Solid Waste Management System:
A Case Study

5. Report Date
1973

6\.

7. Author(s)

8. Performing Organization Rept. No.

9. Performing Organization Name and Address

Applied Management Sciences
962 Wayne Avenue
Silver Spring, Maryland 208910

10. Project/Task/Work Unit No.

11. Contract/Grant No.
68-03-0041

12. Sponsoring Organization Name and Address

U. S. Environmental Protection Agency
Office of Solid Waste Management Programs
Washington, D. C. 20460

13. Type of Report & Period Covered
final

14\.

15. Supplementary Notes

16. Abstracts

This study examines the solid waste collection and disposal system in Fresno, California. The background of the system, including location, geography, demography, climate, form of government, and the solid waste management agencies is described, and the characteristics of the system, including the services, equipment, and finances are discussed.

17. Key Words and Document Analysis. 17a. Descriptors

Waste disposal, urban areas

17b\. Identifiers/Open-Ended Terms

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NATIONAL TECHNICAL
INFORMATION SERVICE
U S Department of Commerce
Springfield VA 22151

17c\. COSATI Field/Group

18. Availability Statement

19. Security Class (This Report)
UNCLASSIFIED

20. Security Class (This Page)
UNCLASSIFIED

21. No. of Pages
183

22. Price
$12.25

205008

# FRESNO'S MUNICIPAL SOLID WASTE MANAGEMENT SYSTEM

## A Case Study

*This final report (SW-71c) describes work performed*
*for the Federal solid waste management programs under contract no. 68-03-0041*
*to* APPLIED MANAGEMENT SCIENCES, INC.
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U.S. ENVIRONMENTAL PROTECTION AGENCY

1974

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An environmental protection publication (SW-71c)
in the solid waste management series

# FOREWORD

Solid waste management systems are an integral part of the environment of nearly every citizen in the United States. Yet until recent years, these systems have not received the attention other visible residential services have enjoyed. This historical neglect has resulted in systems which may not be cost-effective, especially with respect to the rising cost trends encountered in solid waste management activities. These trends arise from two principal factors:

* Environmentally sound disposal methodology is being enforced or strongly encouraged; as a result, disposal sites and needed equipment are now expensive to procure and operate.

* The collection function is highly labor intensive. Thus, the costs of unskilled labor, which have been rising to meet socioeconomic demands, have had enormous impacts on local agency budgets.

This rise in cost pressure has forced all levels of governmental organizations to consider more closely the management and costs of solid waste management activities.

Because efforts to upgrade solid waste management practices are in their infancy, there is still an obvious lack of data bases for evaluative and comparative analyses. This case study is one in a series of case studies of solid waste management systems which has been conducted under the sponsorship of the Office of Solid Waste Management Programs, U. S. Environmental Protection Agency. Kenneth Shuster and Cindy McLaren served as EPA project officers on the case study reported herein. The purpose of these case studies is to fill in this data gap with actual case histories of how cities are handling their solid waste problems.

Concerned agencies at all government levels, as well as private firms, will be able to assess information of the following types:

* The management and operating characteristics of public sector solid waste management systems.

* The institutional forces which give rise to these characteristics.

- Those techniques that have been or are being applied to enhance the measures of productivity, aesthetics, level of service, and environmental control.

These agencies and firms can then use these comparisons to upgrade their systems according to the norms achieved in other cities of similar size, geographical location, and operational and institutional characteristics.

--ARSEN J. DARNAY
*Deputy Assistant Administrator*
*for Solid Waste Management*
Office of Solid Waste Management Programs

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# 1

## INTRODUCTION

The solid waste management system of Fresno, California is a public sector operation providing collection and disposal services to all residential dwellings in the city. A small number of commercial stops also receive city service and, like the residential units, are billed directly for this service. The Department of Public Works is responsible for these activities, as well as street cleaning and other sanitation functions.

Fresno has experienced slow and steady growth since its founding and incorporation in the late nineteenth century. The city is the center for a large agricultural area and is the hub for transportation in the central San Joaquin valley of California. The growth of the city closely follows the development of these two major industrial sectors. The city is now expanding northward towards the San Joaquin River. The solid waste management system has been able to evolve gradually and continuously with the growth and needs of the city.

The collection system has experienced the normal transition from open-bodied trucks, used until 1960, to a fleet composed entirely of rear-loading packers. Currently the Waste Disposal Division is experimenting with side-loading compactors. Also, a computerized districting and routing system is being introduced by consultants to improve collection efficiency and equalize workloads. This is considered especially important because the city has only one landfill, located outside the city limits.

The disposal system in Fresno has remained virtually unchanged for the past 35 years. One 135-acre site has been used for a landfill. The site is bounded by a major road on one side and orchards on the other, and has never created any problems. It presents a pleasing appearance, as the city has begun landscaping the completed sections. However, the landfill capacity will be exhausted within two to three years and the city has not yet decided on a replacement.

The management of the solid waste system in Fresno is competent and appears to be aware of the needs of their system. New equipment and techniques are continuously introduced to maintain the quality and level of service without significantly increasing costs. The ability of Fresno to operate its solid waste management system as a self-sustaining utility reflects the professionalism of the city administration. Effective labor-management relations with the waste disposal and sanitation workers are one more indication of system success.

The case study of Fresno, California was performed using a carefully structured data-gathering technique. Initial contacts were made by both Office of Solid Waste Management Programs and Applied Management Sciences' personnel and interviews were scheduled to be convenient for the city personnel. During these interviews, notes were taken and tape recordings were made after obtaining the permission of the interviewees. Extensive efforts were taken to require a minimum of city personnel time and, whenever possible, existing documentation was solicited to support the general discussions. Figure 1 presents the titles of the people interviewed in Fresno, the dates of these interviews, and the types of the information obtained.

The structure of this report consists of five chapters, including the introduction, and appropriate appendices. Chapter 2 is a systems description abstract which synopsizes the characteristics of the city and the collection and disposal systems.

Chapter 3 presents the findings of the case study effort and identifies potential problem areas. Chapter 4 is a description of the city in terms of those parameters which can affect solid waste management operations. Finally, Chapter 5 reports the characteristics of the solid waste system in considerable detail. All aspects of the system are discussed and appropriate tabular data are presented.

| | | |
|---|---|---|
| Acting Superintendent, Waste Disposal Division, Department of Public Works | 13 August | Collection, disposal system details |
| Manager, Economic Development and Research Department, Fresno Chamber of Commerce | 13 August | Background on Fresno |
| Director of Planning, Fresno County, Council of Governments | 13 August | Regional planning in Fresno County |
| Assistant City Controller, Finance Department | 13 August | Budget information on Waste Disposal Division |
| Superintendent, Fleet Management Division | 14 August | Maintenance, servicing, and replacement of city vehicles |
| Superintendent, Sewer Maintenance Division | 14 August | Street-cleaning management |
| Supervisor, Street Cleaning and Drainage, Sanitation Division | 14 August | Street-cleaning operation |
| Junior Administrative Assistant to Safety Officer, Department of Personnel and Labor Relations | 15 August | Training, educational, and safety programs for city personnel |
| Personnel Analyst, Department of Personnel and Labor Relations | 15 August | Labor-management relations |
| Senior Planner, Planning Department, The County of Fresno | 15 August | County-wide planning |
| Assistant Director, Department of Public Works, The County of Fresno | 15 August | County-city interface to meet requirements of California Senate Bill 5. |

FIGURE 1: DATA SOURCES AND INFORMATION TYPES

# 2

## SYSTEM DESCRIPTION ABSTRACT

| | | |
|---|---|---|
| City: | Fresno, California | |
| Contacts: | Merel E. Rowe | Acting Superintendent, Waste Disposal Division, Department of Public Works |
| | James I. Tucker | Manager, Economic Development and Research Department, Fresno Chamber of Commerce |
| | David D. Knight | Director of Planning, Council of Fresno County Governments |
| | Marvin L. Johnston | Assistant City Controller, Finance Department |
| | Dudley Smith | Superintendent, Fleet Management Division |
| | Peter P. Walla | Superintendent, Sewer Maintenance Department |
| | Thomas P. Cain | Supervisor, Street Cleaning and Drainage, Sanitation Department |
| | Dan Turner | Junior Administrative Assistant to Safety Officer, Department of Personnel and Labor Relations |
| | James K. Katen | Personnel Analyst, Department of Personnel and Labor Relations |
| | Kerry L. McCants | Senior Planner, Planning Department, The County of Fresno |
| | Walter N. Clark | Assistant Director, Department of Public Works, The County of Fresno |

Dates of Visit: August 13 - August 15, 1973

Population Demography:

| Category | City of Fresno | SMSA (County of) Fresno |
|---|---|---|
| Total (1970) | 165,972 | 413,053 |
| Male | 79,159 | 201,768 |
| Female | 86,813 | 211,285 |
| White | 143,872 | 372,595 |
| Other Races: | 22,100 | 40,458 |
| Negro | 15,875 | 20,370 |
| Indian | 622 | 2,144 |
| Japanese | 1,543 | 6,209 |
| Chinese | 1,328 | 2,331 |
| Filipino | 390 | 1,022 |
| All Other | 2,342 | 8,382 |

1972 estimated population for City of Fresno is 173,800

Area: 44.66 square miles

Density: 3891.63 residents per square mile

Collection: Table 1

Miscellaneous: System offers high level of service based on user charges (twice per week mandatory collection except during winter months). Charges escalate based on number of containers. System also collects commercial and large apartment building stops from twice to seven times per week. Refuse generation rate is higher than generally encountered. System efficiency is nominal, given the average temperature level and the carry-out service.

## TABLE 1

## COLLECTION ABSTRACT

| Collection Function / Collection Variables | Mixed Refuse and Yard Rubbish | Commercial and Industrial | Special Hauls | Street Cleaning |
|---|---|---|---|---|
| Number of Crews | 36 | 6 | 3 | 4 |
| Crew Size | 3 or 2 | 2 | 2 | 1 |
| Frequency of Service | 2/week | 2 - 7/week | Variable | - |
| Point of Collection | On premises -"tub-out" service | Bins on premises | Curb-side | Streets |
| Method of Collection | Rear loaders/ Side loaders | Front-loaders | Variable | Street Sweepers |
| Stops | 58,230/week | 1620/week | 27,860/year | 740-83 street mi.<br>220-34 alley mi. |
| Service Limitations | 30 gallon cans | One to six-cubic yard bins | - | - |
| Incentive System | Task System | | | - |
| Fund Source | Service Charge | | | General Fund |
| Tonnage (Annual) | 120,587 | | | NA |
| Wage Scales (Monthly) | Drivers: $667-810<br>Collectors: $584-717 | Heavy Equipment Operator: $790-1170<br>Supervisor/Foremen: $ 929 - 1186 | | |
| Unions | American Federation of State, County, and Municipal Employees | | | |
| Annual Cost | $3,212,781 | | | NA |

Disposal: Table 2

Miscellaneous: Because of the age of the landfill, the disposal costs are relatively low. Site is well-maintained with adequate cover material available. Trench system is utilized with trenches extending 20 feet below surface level and fill continuing to 20 feet above surface. Site accepts only city-collected refuse at rate of 450 tons per day. City will have to acquire new site and/or enter into regional disposal system, as required by state law.

TABLE 2
DISPOSAL ABSTRACT

| | |
|---|---|
| Type/Location: | Sanitary Landfill/Southwest portion of city |
| Total Area: | 135 acres |
| Real Loading: | 450 tons/day (260 days) |
| Total Lifetime: | 38 years |
| Remaining Lifetime: | 3 years |

# 3

## FINDINGS AND CONCLUSIONS

The Fresno solid waste management system offers a high level of service at a reasonable cost. The system operates as a self-sustaining utility within the city government structure and offers varying levels of service to its customers. This relfects the sophistication and capability of the managers of this system.

Fresno has been fortunate as it has not experienced many of the major handicaps that affect other cities' solid waste management systems. This is due to a number of conditions. First, the system has evolved at a rate proportionate to the growth and needs of the city. When Fresno reached a population of almost 60,000 in 1937, the city purchased the collection system from private contractors and expanded the services offered. City management was sufficiently farsighted to acquire an extremely large site for landfilling its refuse. When the population growth rate began to increase rapidly and the citizens became more environmentally aware, the city acquired new equipment (enclosed compactor trucks) and increased frequency of service. The city is now experimenting with more efficient collection equipment and sophisticated districting and routing models. Although the 35-year old sanitary landfill has two to three years of life left, the city is already considering other alternatives, including a regional landfill operated jointly with the county. The city is also aware of the importance of labor management relations and has signed an agreement with the American Federation of State, County, and Municipal Employees which represents the Waste Disposal Division workers.

The efficiency of the collection system is now somewhat hampered because there is only one landfill, located outside the city limits (but within an incorporated area in the County) in the extreme southwest corner of the city. Thus, there is route imbalance in the collection system. This is being rectified by the introduction of a computerized routing system to develop routes which more effectively utilize available manpower. A high absenteeism rate among collection workers also contributes to lower efficiencies as a large number of standby temporary workers must be maintained.

The current landfill site has enabled Fresno to avoid a common problem faced by large cities - that of locating a suitable disposal site. No public opposition has been experienced in the operation of the Fresno disposal site, which is very well run. Availability of sufficient cover material and a low ground water table aid in avoidance of common landfill nuisance problems.

The effects of implementing new districts and routes and the eventual, near-term introduction of new landfill sites have yet to be identified. For these reasons, Fresno is a city which merits consideration for a second case study within the next two years.

# 4

## BACKGROUND OF THE SYSTEM

Fresno is located in the heart of the San Joaquin Valley of central California, about midway between San Francisco and Los Angeles. The first Fresno City was established in the early 1850's on the banks of the Fresno Slough. For a time, it was the head of water navigation between San Francisco and the upper valley points, and it was the western terminus of the telegraph line between East and West. Fresno county was incorporated in 1856 and included most of the Mariposa territory. In 1874 the county seat was established in Fresno, and on October 17, 1885, the City of Fresno was incorporated.

Fresno initially grew as an agricultural trading center. Most industries have been either directly involved in agriculture or allied by servicing agriculture in some capacity. Although agriculture has been the prime factor in the growth of the Fresno economy, the trend is slowly changing and new industries are being attracted to the area.

### 4.1: Location, Climate, Demography, and Economic Base

Fresno is located 222 miles north of Los Angeles and 183 miles south of San Francisco in the central San Joaquin Valley. The city is situated at 331 feet above sea level and covers 44.66 square miles. It is the seat of government for Fresno

County, a county which covers approximately 6,000 square miles and includes or borders on three National Parks (King's Canyon, Sequoia, and Yosemite).

Fresno lies in a hot and arid area which can affect outdoor work activities. The city experiences extremes of temperature as temperatures over 100° F in summer and below freezing in winter are not uncommon. Rainfall and relative humidity are low; the percentage of sunshine is very high.

The population of Fresno has grown from 12,470 in 1900 to an estimated 173,800 in 1972. During the same interval, the county has grown from 37,800 in 1900 to 429,500 in 1972. The ratio of county to city population has always averaged in the range of two to three. Detailed demographic statistics for the city and the county are presented in Figure 2.

**POPULATION**

| Year | Fresno City | Fresno Metro. Area | Fresno County |
|---|---|---|---|
| 1980 | | | 520,000** |
| 1975 | 195,000** | | 470,000** |
| 1972 | 173,800* | 291,000*** | 429,500* |
| 1971 | 169,900* | | 421,500* |
| 1970 | 165,972 | | 413,053 |
| 1960 | 133,929 | | 365,945 |
| 1955 | 107,907 | | 304,700 |
| 1950 | 91,669 | | 276,515 |
| 1940 | 60,682 | | 178,565 |
| 1930 | 52,513 | | 144,379 |
| 1920 | 45,086 | | 128,779 |
| 1910 | 24,892 | | 75,657 |
| 1900 | 12,470 | | 37,800 |

* California State Department of Finance Estimates
** Projected
*** Fresno County Planning Department Estimate

FIGURE 2: DEMOGRAPHIC DATA FOR FRESNO CITY AND COUNTY

The total number of employed people in the county is estimated at 184,300, with agriculture listed as the major employment category. A breakdown of the Fresno labor market is presented in Table 3. Fresno County is the nation's number one farm county, averaging more than a million dollars per day in the production of more than 200 commercial crops. About 25 different crops can be expected to produce more than a million dollars in annual sales.

The effective annual buying income is $8,052 per household in the city and $7,700 per household in the county. More than one-third of the households in both city and county have incomes over $10,000 per year. Retail sales averaged over half a billion dollars in the city and close to one billion dollars for the entire county in 1971.

## 4.2: Form of Government and Organization

In 1957, the voters of Fresno adopted a new city charter, changing from a commission form to the present council-manager form of government. The first election under the new charter was in April,1958. Under the present system, a mayor is elected every four years. His salary is $6,000 plus expenses. He is the presiding officer of the City Council and has the power to appoint member of Boards and Commissions.

The City Council consists of six members, elected for terms of four years on a staggered basis. The Council is the policy-making body in the city and is vested with all powers of legislation in municipal affairs. The Mayor has no veto power over Council decisions. City Council members are paid $3,600 per year plus expenses.

## TABLE 3

## FRESNO COUNTY EMPLOYMENT DISTRIBUTION

| | |
|---|---|
| Agriculture | 36,800 |
| Construction | 6,400 |
| Finance, Insurance, & Real Estate | 5,800 |
| Government | 32,000 |
| Manufacturing | 18,300 |
| Mineral Extraction | 600 |
| Other nonagricultural Employment | 18,200* |
| Services | 24,100 |
| Retail Trade | 24,900 |
| Wholesale Trade | 9,000 |
| Transportation and Utilities | 8,200 |

*Self-employed, domestics and upaid family workers used to be included in each industry, but are now in a category by themselves.

SOURCE: State of California Department of Human Resources Development

Other elected government offices in Fresno consist of Board of Education members and Judges. The Board of Education consists of five members, who are elected for four year terms on a staggered basis. Eight Superior Court judges and six Municipal Court judges are elected for six year terms.

The City Council appoints the Chief Administrative Officer, City Clerk, City Attorney, and Chief Administrative Officer Pro Tempore. The Chief Administrative Officer receives an annual salary ranging from $25,404 to $30,888. He is the head of the administrative branch of city government and is responsible to the Council. His responsibilities include enforcement of laws and ordinances, preparation of the budget, appointment of all department heads, and city employees other than those mentioned in the charter.

The Chief Administrative Officer specifically appoints the Directors of the Departments of Finance, Personnel, Parks and Recreation, Planning and Inspection, Public Works, Transportation, and Model Cities, in addition to an Assistant Chief Administrative Officer. The Director of the Public Works Department is responsible for municipal engineering, streets and sanitation, street lighting, water works, waste collection, and maintenance of city properties. He receives a salary in the range of $23,616 to $28,692.

An organization chart, Figure 3, shows the structure of the Fresno City government.

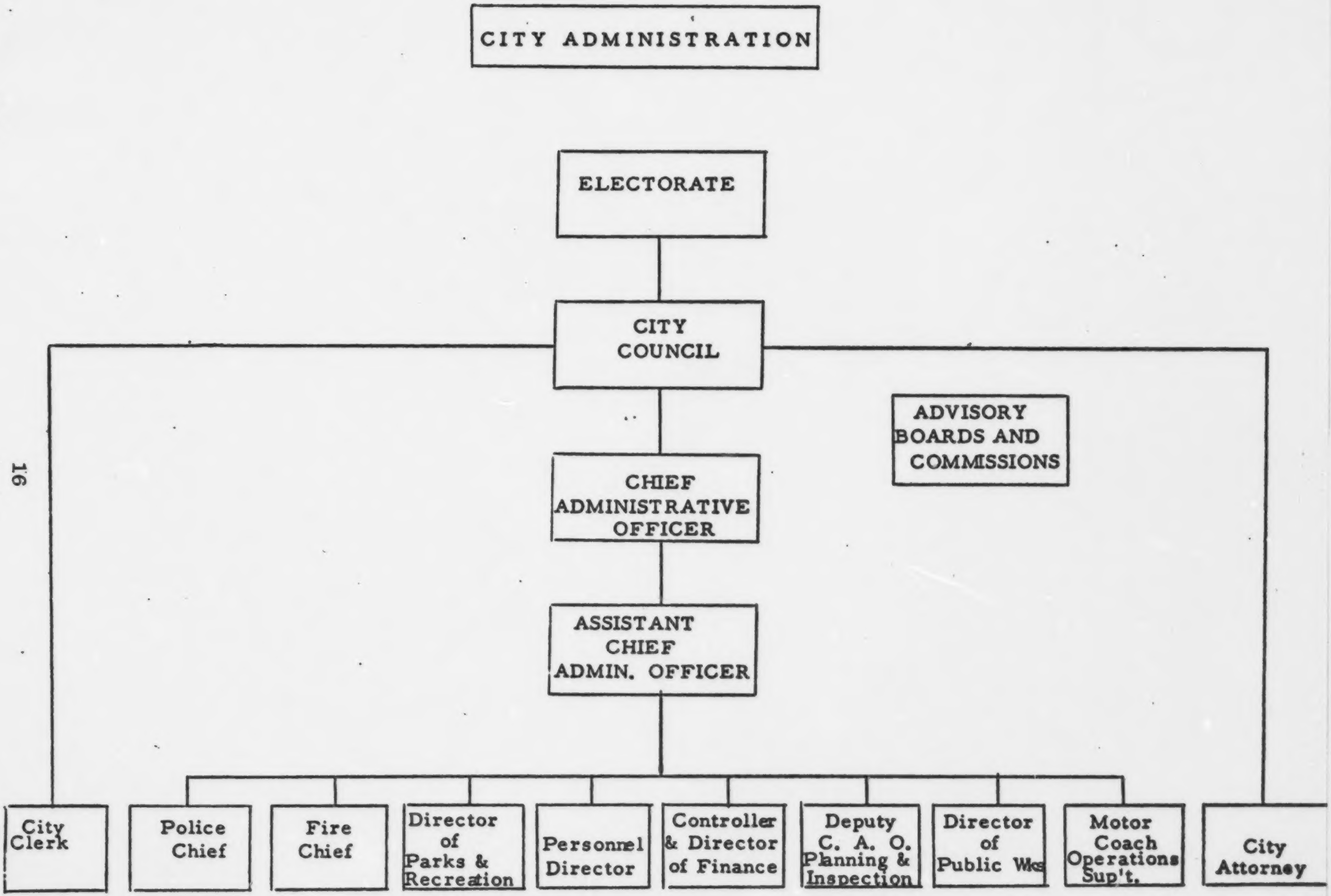

CITY ADMINISTRATION
ELECTORATE
CITY COUNCIL
ADVISORY BOARDS AND COMMISSIONS
CHIEF ADMINISTRATIVE OFFICER
ASSISTANT CHIEF ADMIN. OFFICER
City Clerk
Police Chief
Fire Chief
Director of Parks & Recreation
Personnel Director
Controller & Director of Finance
Deputy C. A. O. Planning & Inspection
Director of Public Wks
Motor Coach Operations Sup't.
City Attorney

FIGURE 3: FRESNO CITY GOVERNMENT STRUCTURE

## 4.3: Solid Waste Management System History

Solid waste management services in Fresno have evolved gradually with the growth and needs of the population. Prior to 1937, all solid waste activities were performed by private contractors who collected only putrescibles (garbage) from households requesting service. In 1937, the city purchased the system and offered separate garbage and yard rubbish collections, using open-bodied trucks for both services. In 1960, the citizens pressured for more frequent service. The city then switched to 20 cubic yard trucks with three-man crews and offered garbage collection on either a once or twice per week basis, as requested, and rubbish pick-up on a once per week basis.

At this time the city was using two disposal sites. One was the 135 acre site that had been in operation since 1937 and is still in use today. The other was a ten acre site which accepted only trash. The trash was burned at this second site and the ashes were dumped along with whatever did not burn. However, in 1960 the county forced the city to close this burning dump. The city covered and landscaped the site, which is now an extremely attractive park.

In 1970, an ordinance was passed by City Council making twice per week collection mandatory (except by special request, during the winter months when once a week collection may be received). The city residents receive tub-out service for one can. Any yard waste must be properly bundled and placed at curb-side for simultaneous collection.

More recent developments in the solid waste management system include experimentation with side-loading compacting trucks which work effectively with two-man crews instead of the three-man crews assigned to rear-loaders. In 1972, the city purchased five such trucks and estimates that six side-loader routes using twelve men can collect the same amount of waste as can five rear-loader routes using fifteen men. The 1973-74 budget for the Waste Disposal Division includes a request for eleven more trucks of this type.

Also in July of 1972, a Memorandum of Understanding was signed with the American Federation of State, County, and Municipal Employees, AFL-CIO, the union representing Waste Disposal Division workers. The agreement with the union lasts for two years and includes benefits such as a health and welfare trust fund, a cost of living increase based on the Bureau of Labor Statistics data for the Los Angeles area, grievance procedures, dues check-off privileges, and set holiday and vacation periods. Labor-management relations appear stable and satisfactory.

Finally, the city has employed Boeing Environmental Services to implement their "RAGS" computerized routing system for improving collection efficiency. Boeing has been collecting data for this purpose and is now processing it for implementation in Fresno.

### 4.4: Agencies Impacting the Solid Waste Management System

There are a number of agencies on the state, county, and local levels which have affected the operations of the Waste Disposal Division in the City of Fresno. However, the system appears to be run in a satisfactory manner and provides an acceptable level of service; the effect of outside agencies on the division's activities has been minimal.

#### 4.4.1: State Level Agencies

The California State Environmental Quality Act of 1970 set up a process whereby state agencies were created and delegated the responsibility for various facets of environmental protection. Subsequently, State Senate Bill 5, passed in 1972, created a State Solid Waste Management Board within the Resources Agency. The Board is required to prepare by January 1, 1975 the state policy for solid waste management and the State Solid Waste Resource Recovery Program.

Within this board, a State Solid Waste Management and Resource Recovery Advisory Council has been established. This council interacts with local government in the state, as the primary responsibility for adequate solid waste management and planning is to rest with local government. Under state law, each county must now prepare a comprehensive regional solid waste plan for all waste disposal with the county and for all waste originating therein which is to be disposed outside the county. Such responsibility can be transferred to a regional planning agency, although this has not yet occurred in the Fresno area. The plan must be submitted by January 1, 1976. It requires approval by a majority of the population represented by their cities within the county.

While this program has not yet affected the solid waste system in Fresno, the city is aware of the fact that its landfill will be exhausted within three years and that regional disposal facilities may have to be developed.

The State of California has previously undertaken a study of solid waste management in the Fresno area. Under a Public Health Service Demonstration Grant, D.H.E.W., the California Department of Public Health chose central Fresno County as the site for a comprehensive study of the major solid waste problems encountered in a rural-urban interface. The Public Health Department's Bureau of Vector Control, along with two consulting firms, performed the study with the cooperation of the Fresno County Health Department. The Fresno study showed that the "systems" concept provided a new perspective in analyzing solid waste problems. Also developed was a system of documentation and a method of measurement for assessing the effectiveness of such systems. One of the study recommendations was that automated vacuum collection systems and compost plants be introduced for handling wastes. On-site storage and improper sanitary landfills were felt to be the major solid waste problems for the area. However, for the most part, this study has not been utilized in Fresno area planning.

### 4.4.2: County Level Agencies - Departments of Public Works, Public Health, Planning

Fresno County is responsible for developing a county-wide solid waste management plan by January 1, 1976 to meet the requirements of the California State Senate Bill 5. The county has put up $40,000 (matching a contribution from the city) for the formulation of the Comprehensive Solid Waste Managment Plan. The county would like to obtain more cooperation from the city because of the discontinuous boundaries of the incorporated area of the City of Fresno. The city has small "islands" of incorporated area in the county which are not attached to the main city. Similarly, there are many unincorporated islands within the main city. Collection routing could be considerably improved if closer cooperation between the two governments was achieved. The county also favors joint use of landfill facilities.

To this date, the county has not had a major impact on the city, except in 1960 when it closed the city's open burning dump. However, the county does not regulate disposal sites and is performing solid waste studies of different sections within its jurisdiction. These are joint efforts of the County Departments of Public Works, Public Health, and Planning, and are coordinated with the "General Plans" for Fresno County developed by the Planning Department.

### Fresno County Council of Governments (COG)

The regional COG represents sixteen local governments, comprising fifteen cities in Fresno County and the county itself.

The present organization is approximately three years old and is a merger between an older COG and the previous Fresno-Clovis Metropolitan Area Technical Coordination Committee. The stated organizational goals for the COG are to:

- Comprehensively plan for multi-governmental problems;
- Develop regional plans and policies;
- Encourage intergovernmental agreements and coordination;
- Provide a forum for intergovernmental discussion.

The major area of effort has been in the field of transportation. Area-wide plans also have been developed in functional areas of water and sewer, housing, transportation, open space, and land use. Currently underway are studies in the environment, conservation, and seismic activity fields. However, the COG has yet not been involved in any solid waste studies, although it is anticipated that this agency will play some role in the planning of a county-wide system.

### 4.4.3: Local Level Agencies - American Federation of State, County, and Municipal Employees (AFSCME)

Labor-management relations always have been good between the city and the solid waste workers. The union came to Fresno in the early 1970's and has persuaded the city to sign a "Memorandum of Understanding" in which a number of benefits for Waste Disposal Division Workers are established. This memorandum is presented in Appendix F.

This agreement is valid until July, 1974, when a new agreement must be negotiated between the city and the union. The only problem arising since the present agreement began was a vote on November 17, 1972 to strike by members of the Non-Supervisory Blue Collar AFSCME unit (including Waste Disposal Division workers). The city management averted this strike. The Chief Administrative Officer then requested the

City Countil to suspend payroll deduction privileges for these workers for one year, but was denied this request.

# 5

# SOLID WASTE SYSTEM CHARACTERISTICS

## 5.1: Authorization and Regulations

Article 4, "Garbage, Rubbish, and Refuse," of the Municipal Code City of Fresno (see Appendix A), establishes the authority and the regulations for the storage, collection, transportation, and disposal of solid waste in the City of Fresno. This section of the Fresno Code covers the following basic concepts:

- Definitions of the Director of Public Works, mixed waste, and residential rubbish
- Condition of, type, and limitations on size of waste storage containers
- Requirement for, and limitations to, residential and commercial waste generators for removal of wastes from their premises
- Charges to residential and commercial customers for waste collection by the city
- Conditions under which salvage may be practiced
- Application for private garbage collection permits
- Restrictions on solid waste collection and disposal.

Also affecting the solid waste system in Fresno is Article 5, "Environmental Quality Ordinance," of the Municipal Code. The purpose of this article is to set forth the principles, objectives, criteria, and rules to be used for implementation of the California State Environmental Quality Act of 1970. This Act requires the orderly evaluation of projects through preparation of environmental impact reports to preserve and conserve the environment. The points covered by this article of the Fresno Code include:

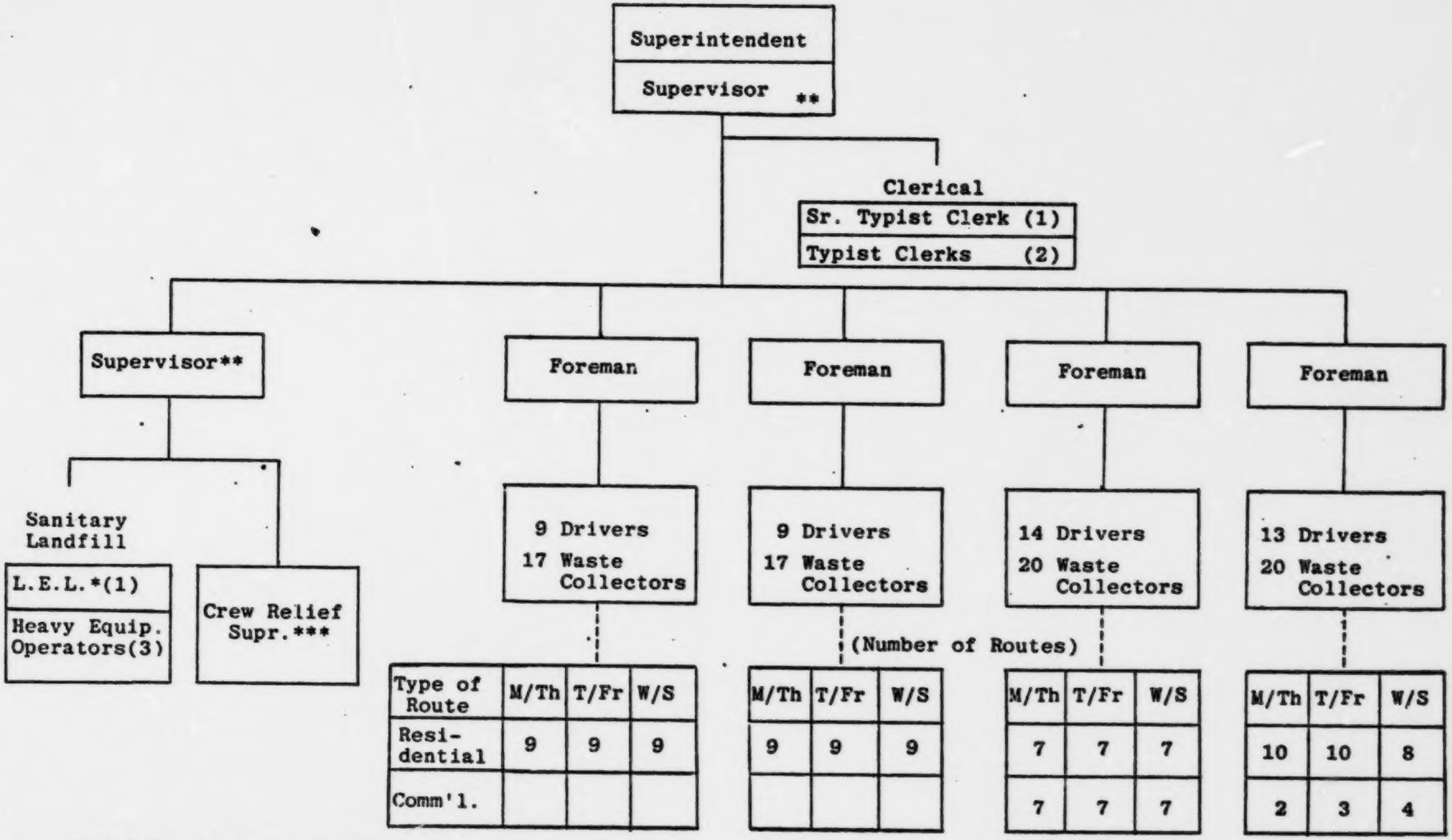
- Definitions of the California Environmental Quality Act of 1970, the Fresno Planning Commission and its Director, Environmental Impact Report, etc.
- Information required for the performance of an initial environmental assessment
- The review process for the environmental assessment
- The procedure for appeal of the findings of the environmental assessment
- The procedure for preparation of the Environmental Impact Report
- The procedure for processing of the Environmental Impact Report
- The process of appealing the decision of an Environmental Impact Report
- Requests for exemption classification from the California Environmental Quality Act
- The fees required for processing reports, applications, etc.

This section of the Fresno Code is also reproduced in full in Appendix A.

The County of Fresno also regulates solid waste collection and disposal. Chapter 3, "Garbage and Rubbish Disposal," of the County Code is presented in Appendix B.

### 5.2: Collection Functions

The City of Fresno provides mixed refuse collection service to all residences in the city. In addition, a few commercial and industrial customers also receive service. Bulky items are picked up on request, at an additional service charge. The Waste Disposal Division of the Department of Public Works is responsible for these activities. An organization chart for the Division is presented in Figure 4.


Superintendent
Supervisor **
Clerical
Sr. Typist Clerk (1)
Typist Clerks (2)
Supervisor**
Sanitary Landfill
L.E.L.*(1)
Heavy Equip. Operators(3)
Crew Relief Supr.***
Foreman
9 Drivers
17 Waste Collectors
Foreman
9 Drivers
17 Waste Collectors
Foreman
14 Drivers
20 Waste Collectors
Foreman
13 Drivers
20 Waste Collectors
(Number of Routes)
Type of Route
M/Th
T/Fr
W/S
Resi-dential
Comm'l.
9
9
9
9
9
9
7
7
7
7
7
7
10
10
8
2
3
4

* Landfill Equipment Leadman
** One Supervisor Serves Both Functions
*** Replaces One of Foremen When They Are Off

FIGURE 4: SOLID WASTE DISPOSAL - DEPARTMENT OF PUBLIC WORKS ORGANIZATION CHART

The Waste Disposal Division retains a staff of 153 men. The composition of this staff and the salary ranges is listed in Table 4. Presently, an Acting Superintendent is in the Superintendent's position as the former occupant recently retired. The City of Fresno is advertising for a permanent professional to man this position.

In the Superintendent's office are four clerks: one senior typist clerk, one accounting clerk, and two typist clerks. A supervisor is directly responsible for the collection and disposal activities. Reporting to the supervisor are four collection foremen and the lead man of the four heavy equipment operators at the sanitary landfill. Each collection foreman has from 9 to 14 truck drivers and from 17 to 20 waste collectors reporting to him. In addition, temporary help in the form of truck washers and waste collectors is usually available on an hourly rate basis. The part-time waste collectors are especially important because of the high absenteeism rate Fresno experiences among its waste collectors.

The manpower and equipment allocation for solid waste management activities is presented in Table 5. Although street cleaning activities are not performed by the Waste Disposal Division, data are presented for the men and equipment assigned to this activity.

### 5.2.1: Residential Collection

For the purposes of residential collection, the city is divided into three sections: north, central, and south. The northern section receives collection on Mondays and Thursdays, the central section on Tuesdays and Fridays, and the southern section on Wednesdays and Saturdays. Each of the three sections is subdivided into four areas, one for each foreman. Although most single-family detached homes (estimated at approximately 45,000) receive twice-a-week service, such residences have

### TABLE 4: WASTE DISPOSAL DIVISION PERSONNEL

| Title | No. | Salary (Monthly) |
|---|---|---|
| Superintendent | 1 | $1339-1627 |
| Senior Typist Clerk | 1 | 512- 622 |
| Accounting Clerk | 1 | 2.88/hour |
| Typist Clerk | 2 | 464- 564 |
| Supervisor | 1 | 975-1186 |
| Foreman | 4 | 929-1129 |
| Heavy Equipment Operator | 1 | 1133 |
|  | 2 | 1170 |
| Heavy Equipment Operator (Leadman) | 1 | 1178 |
| Truck Driver | 46 | 667- 810 |
| Waste Collector | 94 | 589- 717 |
| Temporary Help: |  |  |
| Truck Washers | 4 | $2.20/hr |
| Waste Collectors | 32 | $3.40/hr |

## TABLE 5: MANPOWER/EQUIPMENT ALLOCATION FOR FRESNO

| Function<br>Personnel | Mixed Refuse and Yard Rubbish | Commercial and Industrial | "Special[1] Hauls" | Street Cleaning | Disposal | Administrative | Totals |
|---|---|---|---|---|---|---|---|
| Management [2] | | | | 1/4 | | 1 | 1-1/4 |
| Clerical [3] | | | | 1/2 | | 4 | 4-1/2 |
| Supervisor/Foreman [4] | 5 | | | 1 | | | 6 |
| Drivers [5] | 37 | 6 | 3 | | | | 46 |
| Laborer/Collector [6] | 84 | 6 | 3 | 8 | 1 | | 102 |
| Equipment Operator [7] | | | | 12 | 4 | | 16 |
| Totals<br>Equipment | 126 | 12 | 6 | 21-3/4 | 5 | 5 | 175-3/4 |
| Rear-Loaders [8] | 33 | 2 | 3 | | | | 38 |
| Side Loaders [9] | 5 | | | | | | 5 |
| Front Loaders[10] | | 4 | | 1 | | | 5 |
| Sedan/Pick-up[11] | 5 | | | | | 1 | 6 |
| Bulldozer | | | | | 2 | | 2 |
| Scraper | | | | | 2 | | 2 |
| Grader | | | | | 1 | | 1 |
| Lube Truck | | | | | 1 | | 1 |
| Water Truck | | | | | 1 | | 1 |
| Compactor | | | | | 1 | | 1 |
| Street Sweepers | | | | 8 | | | 8 |
| Totals | 43 | 6 | 3 | 9 | 8 | 1 | 70 |

TABLE 5: CONTINUED

NOTES:

1/ "Special hauls" consists of pick-up of bulky items and other large volume materials on special request - the same trucks are used.

2/ Consists of an Acting Superintendent for Waste Disposal and a Superintendent for Sewer Maintenance (which includes street cleaning).

3/ Consists of one Senior Typist Clerk, one Accounting Clerk, and two Typist Clerks.

4/ Consists of one collection supervisor, and four collection foremen.

5/ Consists of drivers for 36 routes for mixed refuse and yard rubbish collection, 6 routes for commercial and industrial collection, and 3 routes for "special hauls." The city currently has one surplus driver (allotted to the "mixed refuse" column) and three more are being recruited in order to safeguard against absenteeism and other factors.

6/ Consists of 67 collectors for mixed refuse and yard rubbish collection (2 laborers/truck for 31 rear-loader trucks and 1 laborer/truck for 5 side-loader trucks); 6 collectors for commercial and industrial collection (1 laborer/truck); and 3 collectors for "special hauls" (1 laborer/truck). The city currently has 8 surplus collectors (allotted to the "mixed refuse" column) and one more is being recruited to safeguard against absenteeism, etc. The city also has 32 "temporary" waste collectors (not shown on this chart) who show up each morning and are employed if sufficient "permanent" employees do not turn up. There are also 4 "temporary" truck-washers who are employed as needed. One laborer is assigned to the sanitary landfill for maintenance of landscaping.

7/ Waste Disposal Division heavy equipment operators are located at the landfill. One of them has been designated as the "lead man." Street cleaning heavy equipment operators consist of 10 sweeper operators, one equipment operator at the landfill, and one machine mechanic.

8/ Consists of 31 trucks needed for mixed refuse and yard rubbish collection; 2 trucks needed for commercial and industrial collection; and 3 trucks needed for "special hauls." The city has two surplus rear-loaders as back-up equipment (these are allotted to the "mixed refuse" column).

TABLE 5: CONTINUED

NOTES: (Contd.)

9/ The city is now in the process of acquiring 11 more sideloaders to replace some rear-loaders on residential collection.

10/ Used principally on commercial-industrial pick-ups, the frontloaders may occasionally be used for "special hauls."

11/ One sedan allotted to the Acting Superintendent, and 5 pickups to the 4 collection foremen and one collection supervisor.

the option of one-a-week collection for a six-month period (from October to May) at a reduced service fee. The number of households taking advantage of this option has been constantly decreasing: only 60 to 65 residents chose the reduced service last year.

Residents in single-family detached homes are required to place their refuse in plastic or metal cans of either 20- or 30-gallon capacity for pick-up. The first 30-gallon container is collected for a charge of $3.95 per month. Additional containers are picked up at a charge of $3.05 per month. The reduced once-a-week collection costs $3.70 per month for the first container.

Detached homes are serviced by 20-cubic-yard rear-loaders and 29-cubic-yard side-loaders. The rear-loaders utilize three-man crews and the side-loaders have two-man crews. In either case, the driver collects any yard waste at the curb, and the collectors tub out the mixed refuse from the storage point. In this manner, an average of 420 houses per day may be serviced by each truck. To service this many homes, a truck will travel three to four miles within its own route area, and make two trips a day to the landfill. The average one-way distance to the landfill is six miles (approximately 25 minutes), so that the truck will travel 25 to 30 miles per day. A truck collects from four to five tons per load, or eight to ten tons per day.

Crews start work at 6 A.M., are allowed one-half hour for lunch, and may go home as soon as their tasks are completed. This task incentive system encourages crews to finish their routes as rapidly as possible. The large carry distance (average of 50 to 75 feet from the house to the truck) has reduced the efficiency of the system, as it is practical to collect only one side of the street at a time, and it takes approximately one and one-half to two minutes for a man to collect a stop. The terrain in the city is fairly flat and poses no problem to the collectors.

The city has not experimented with plastic or paper bags and will not pick up mixed refuse placed in such containers alone. Approximately 20 percent of detached home residential customers voluntarily set their containers out at curbside. About 40 percent of all residential stops in the city are serviced by means of an alley, and containers must be placed on the alley line.

### 5.2.2: Commercial and Apartment Collection

Multiple-family units are required to use hoist-type containers furnished by the city. A list of charges for such containers is presented in Table 6. The city is responsible for furnishing, repairing, and replacing these containers at no additional charge. The containers vary in size from one to six cubic yards, and the frequenty of service ranges from two to seven times per week. It is estimated that there are approximately 5,000 stops made to service multiple-family dwellings of two to four units each. In addition, there are some stops for apartment complexes of up to 100 units. The total number of households in the city is estimated at 58,230.

Some commercial waste sources also contract for city service. There are 480 such customers; they are serviced by nine routes. Three routes service 240 customers six days per week. Another three routes serve 90 customers on special request for the removal of bulky items and other similar materials. These customers receive from one to six collections per week. The remaining three commercial routes service 100 customers (including some of the larger residential complexes). These three routes utilize one, two, and six cubic yard containers and are serviced by two front-end loaders and one rear-loader.

## TABLE 6: FEE SCHEDULE FOR CONTAINERIZED COLLECTION

| Capacity of Container | Number of Collections per week and Amount of charge per month | | | |
|---|---|---|---|---|
| **Bins** | 2 days | 5 days | 6 days | 7 days |
| 1 cubic yard | $18.40 | $ 46.00 | $ 55.20 | $ 66.75 |
| additional | 17.30 | 43.25 | 51.90 | 63.55 |
| 2 cubic yards | 33.60 | 84.00 | 100.80 | 123.45 |
| additional | 31.40 | 78.50 | 94.20 | 115.40 |
| 3 cubic yards | 46.50 | 116.25 | 139.50 | 170.85 |
| additional | 43.25 | 108.15 | 129.75 | 158.90 |
| 4 cubic yards | 59.50 | 148.75 | 178.50 | 218.65 |
| additional | 56.25 | 140.65 | 168.75 | 206.70 |
| 5 cubic yards | 72.50 | 181.25 | 217.50 | 266.40 |
| additional | 69.25 | 173.15 | 207.25 | 254.50 |
| 6 cubic yards | 85.50 | 213.75 | 256.50 | 314.20 |
| additional | 82.25 | 205.65 | 246.75 | 302.25 |
| **Other Containers** | | | | |
| 30 gallons or less | 3.95 | | 11.85 | |
| Additional | 3.05 | | 9.15 | |

(1) Rates for stationary compactor bins having a capacity from one (1) cubic yard to six (6) cubic yards (inclusive) shall be twice the rate established herein for bins of similar capacity not used with stationary compactors.

(2) Service for stationary compactor bins exceeding six (6) cubic yards capacity and debris boxes shall be defined as special hauls, and the rates shall be established by the Controller to reimburse the City for the direct and indirect costs of providing such service.

SPECIAL HAULS: $23.00 per hour, with a minimum charge of $5.75 for the first quarter hour or fraction thereof. Time charged after the first quarter hour shall be on the basis of 5 minute intervals calculated to the nearest 5 minutes. Excerpt from section 9-405(d).

Excerpt from Section 9-405 of the Fresno Municipal Code.

(eff. July 1, 1971)

The vehicles used for container collection from multiple-family dwellings and commercial-industrial customers consist of four, 20-cubic-yard front-loaders and six, 20-cubic-yard rear-loaders. These trucks have two-men crews, one driver and one helper.

The quality of collection service appears to be high. A notice (Figure 5) has been distributed to city residents to ensure satisfactory communication on service complaints. Missed service calls are received at the Waste Disposal Division and logged in on a "Skip Sheet." Trucks and foremen are notified of skips either by radio or during lunch. Under its union contract, the city has all skipped service calls received before 11 A.M. serviced on the same day; all calls received after 11 A.M. are serviced on the following day. Figure 6 shows the annual number of skipped service calls received by the Waste Disposal Division for the years 1969 to 1973. To service such calls, the foremen try to collect as many of these stops as possible using their pickup trucks and empty cans. The last column in Figure 6 shows the number of stops serviced by the foreman under this arrangement.

There appears to be minimal bulky item collection required by city residents. Many of the larger discarded items are picked up by the Salvation Army. Citizens requesting city service for the bulky item collection are charged $24.12 per hour, with a minimum charge of $6.03 for the first quarter hour or fraction thereof. Time charged after the first quarter hour is based on five-minute intervals rounded to the nearest five minutes.

More recent developments in the Fresno collection system are a move towards more side-loaders and introduction of the Boeing Computer Services' RAGS routing system. These two topics are discussed in this chapter under the sections on "Equipment Description" and "Future Planning."

**FRESNO CITY WASTE DISPOSAL DIVISION CUSTOMERS**

**ATTENTION!**

. . .The Waste Disposal Division makes every effort to provide the very best service to you on a regular basis. Even so, human and mechanical frailties sometimes prevent our doing so.

. . .In the event we fail to collect your garbage, rubbish, or mixed waste on a regular collection day (excluding the effects of holidays), please give us the opportunity to correct our deficiency: Call

City of Fresno, Waste Disposal Division
911 East Belmont
266-8031 - Extension 452

. . .Calls received before 11 A.M. will be serviced the same day -- calls after 11 A.M. will be serviced no later than the next working day.

. . .Also feel free to call this number if you have any other problems with your waste disposal service.

Thank you!

FIGURE 5: CUSTOMER RELATIONS NOTICE FOR SKIPPED SERVICE

| Calendar Year | Skips | No. of Stops Serviced by Foreman |
|---|---|---|
| 1969 | 2,119 | 1,190 |
| 1970 | 3,098 | 1,954 |
| 1971 | 2,711 | 1,836 |
| 1972 | 2,295 | 1,592 |
| 1973* | 1,238 | 911 |

*January thru July

FIGURE 6: ANNUAL SKIPPED SERVICE DATA

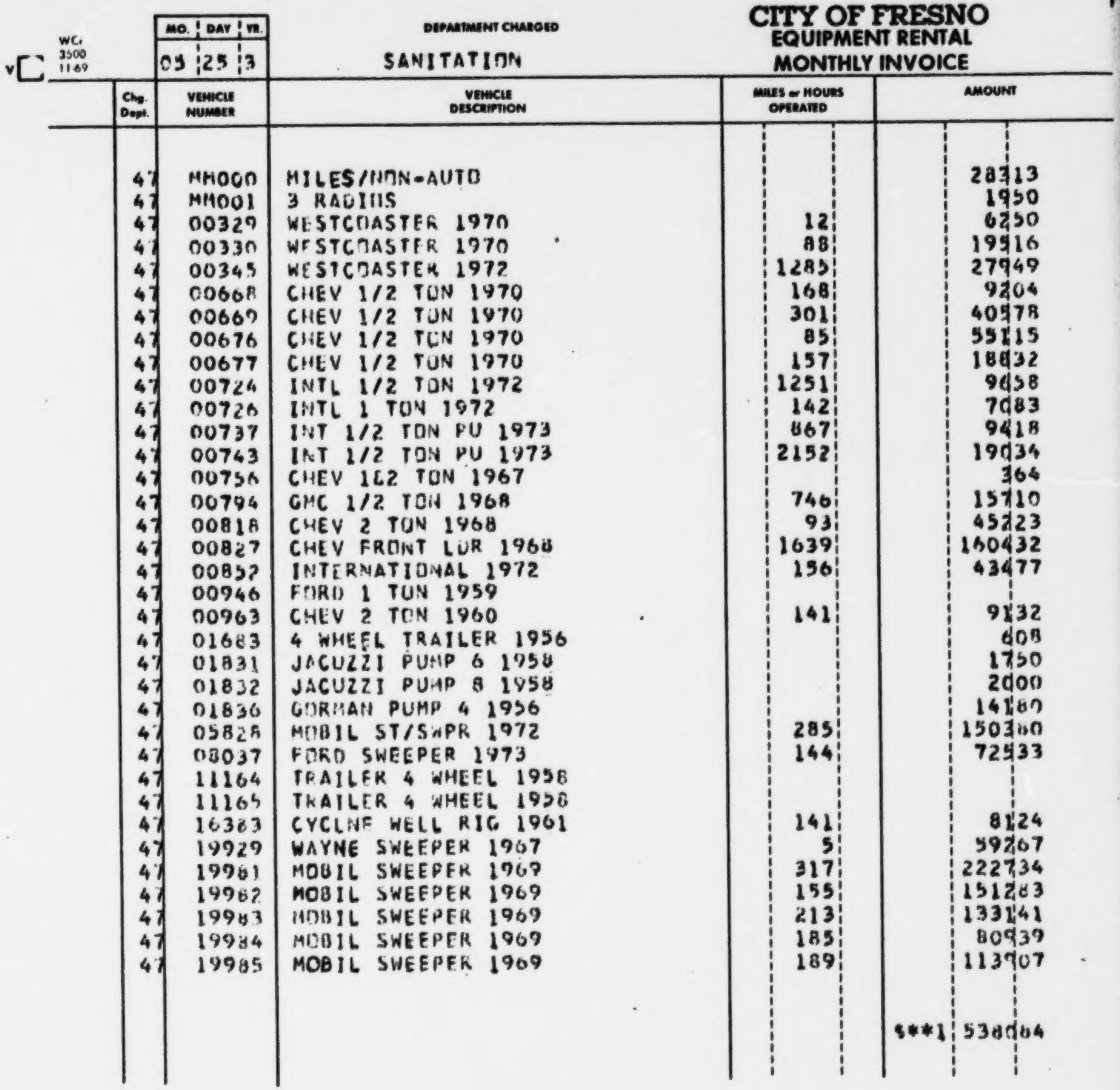
### 5.2.3: Street Cleaning

The street cleaning function in Fresno is under the direction of the Sanitation Division of the Public Works Department. The Sewer Maintenance Superintendent is in charge of the Sanitation Division as well as the Sewer Maintenance Division. The Sanitation Division has 30 employees, including a Sanitation Supervisor who reports to the superintendent. The supervisor is responsible for street sweeping and storm drainage operations.

The street sweeping operation has 22 employees, including one sanitation foreman who reports to the supervisor. Reporting to the foreman are: ten heavy equipment operators who man the sweepers; one maintenance man responsible for the sweepers; one equipment operator and one laborer assigned to the landfill; four laborers who collect waste from corner litter baskets; and three laborers who form the hand sweeping crew. The Sanitation Division has members in the American Federation of State, County, and Municipal Employees who receive the same benefits as the personnel in the Waste Disposal Division.

The street sweeping operation has eight street sweepers, each driven by a heavy equipment operator, which work in conjunction with a support truck. The sweepers collect litter and push it into heaps in convenient places, where a front-loader operated by two men can collect it.

The street cleaning equipment is maintained by the Fleet Maintenance Division which keeps a record of vehicle hours of operation. The equipment rental charge is based on this parameter as illustrated in Figure 7, which covers all sanitation equipment.



WC 3500 1169

| MO. | DAY | YR. | DEPARTMENT CHARGED |
|---|---|---|---|
| 05 | 25 | 3 | SANITATION |

**CITY OF FRESNO**
**EQUIPMENT RENTAL**
**MONTHLY INVOICE**

| Chg. Dept. | VEHICLE NUMBER | VEHICLE DESCRIPTION | MILES or HOURS OPERATED | AMOUNT | |
|---|---|---|---|---|---|
| 47 | MM000 | MILES/NON-AUTO | | 283 | 13 |
| 47 | MM001 | 3 RADIOS | | 19 | 50 |
| 47 | 00329 | WESTCOASTER 1970 | 12 | 62 | 50 |
| 47 | 00330 | WESTCOASTER 1970 | 88 | 195 | 16 |
| 47 | 00345 | WESTCOASTER 1972 | 1285 | 279 | 49 |
| 47 | 00668 | CHEV 1/2 TON 1970 | 168 | 92 | 04 |
| 47 | 00669 | CHEV 1/2 TON 1970 | 301 | 405 | 78 |
| 47 | 00676 | CHEV 1/2 TON 1970 | 85 | 551 | 15 |
| 47 | 00677 | CHEV 1/2 TON 1970 | 157 | 188 | 32 |
| 47 | 00724 | INTL 1/2 TON 1972 | 1251 | 96 | 58 |
| 47 | 00726 | INTL 1 TON 1972 | 142 | 70 | 83 |
| 47 | 00737 | INT 1/2 TON PU 1973 | 867 | 94 | 18 |
| 47 | 00743 | INT 1/2 TON PU 1973 | 2152 | 190 | 34 |
| 47 | 00756 | CHEV 1/2 TON 1967 | | 3 | 64 |
| 47 | 00794 | GMC 1/2 TON 1968 | 746 | 157 | 10 |
| 47 | 00818 | CHEV 2 TON 1968 | 93 | 452 | 23 |
| 47 | 00827 | CHEV FRONT LDR 1968 | 1639 | 1604 | 32 |
| 47 | 00852 | INTERNATIONAL 1972 | 156 | 434 | 77 |
| 47 | 00946 | FORD 1 TON 1959 | | | |
| 47 | 00963 | CHEV 2 TON 1960 | 141 | 91 | 32 |
| 47 | 01683 | 4 WHEEL TRAILER 1956 | | 6 | 08 |
| 47 | 01831 | JACUZZI PUMP 6 1958 | | 17 | 50 |
| 47 | 01832 | JACUZZI PUMP 8 1958 | | 20 | 00 |
| 47 | 01836 | GORMAN PUMP 4 1956 | | 141 | 80 |
| 47 | 05828 | MOBIL ST/SWPR 1972 | 285 | 1503 | 80 |
| 47 | 08037 | FORD SWEEPER 1973 | 144 | 725 | 33 |
| 47 | 11164 | TRAILER 4 WHEEL 1958 | | | |
| 47 | 11165 | TRAILER 4 WHEEL 1958 | | | |
| 47 | 16383 | CYCLNE WELL RIG 1961 | 141 | 81 | 24 |
| 47 | 19929 | WAYNE SWEEPER 1967 | 5 | 592 | 67 |
| 47 | 19981 | MOBIL SWEEPER 1969 | 317 | 2227 | 34 |
| 47 | 19982 | MOBIL SWEEPER 1969 | 155 | 1512 | 83 |
| 47 | 19983 | MOBIL SWEEPER 1969 | 213 | 1331 | 41 |
| 47 | 19984 | MOBIL SWEEPER 1969 | 185 | 809 | 39 |
| 47 | 19985 | MOBIL SWEEPER 1969 | 189 | 1139 | 07 |
| | | | | $**15380 | 64 |

FIGURE 7: STREET CLEANING EQUIPMENT

## 5.3: Efficiency of the System

The Fresno solid waste system services a population of 173,800. The level of service is high considering that twice-per-week carry-out service is provided to single-family residential homes. Unfortunately, an accurate listing of housing units by type and number was not available. Neither was the exact number of commercial and industrial units serviced. Further confusing the statistics are the facts that: it is not clear at what point multiple-family units could be considered as commercial stops; commercial-industrial customers are allowed to use 30-gallon cans if they wish instead of cubic-yard containers, and it is uncertain how many customers have this policy; the frequency of service offered to all categories of customers varies in rate and extent (volume) so that definition of the actual number of stops made is difficult; rear-loaders as well as front-loaders service hoist-type containers, and some trucks mix single-family residential collection with commercial collection. As a result, estimates were obtained from city officials on the approximate structure of the system and other sources (e.g., "General Population Characteristics," U.S. Bureau of the Census) were accessed to provide background data on which estimates could be made.

Efficiency and productivity parameters are presented in Table 7 along with variables from which they were derived and other city characteristics. Because of the problems described above, the solid waste collection volume could not be disaggregated by collection function. Consequently, parameters based on collected tonnage could not be calculated: those presented were supplied as estimates by system management personnel. The collection cost per ton is presented as a combined figure for all collection categories. The total collection costs are broken down by collection function in proportion to the number of personnel assigned to each task.

# TABLE 7: PRODUCTIVITY AND EFFICIENCY DATA FOR FRESNO

| | Parameter / Collection Function | Mixed Refuse and Yard Rubbish | Commercial and Industrial | Special Hauls | Street Cleaning | |
|---|---|---|---|---|---|---|
| Community Description | Population Served 1/ | 173,800 | | | | |
| | No. of Resid. or Comm. Units | 58,230 2/ | 1620 3/ | 27,860/yr 4/ | -- | |
| | Street Miles 5/ | 740.43 | | | | |
| | Alley Miles 5/ | 220.34 | | | | |
| | Area (sq. mi.) 6/ | 44.66 | | | | |
| | Pop. density (peo/sq. mi.) | 3891.63 | | | | |
| Waste Amounts | Annual Amounts Collected 7/ | 120,587 | | | NA | |
| | Lbs./unit/wk 8/ | 77.49 | | | | |
| | lbs./person/day 9/ | 3.80 | | | | |
| Collection System Description (inc. Level of Service) | Point of Collection 10/ | On premises - "tub out" service | Bins on premises | Curb side | Streets | |
| | Freq. of Collection 10/ | 1 to 2 times/week | 2 to 7 times/week | On request | -- | |
| | Type of Storage Container 10/ | 30 gallon cans | One to six cubic yard bins | --- | -- | |
| | Avg. Dist. to Disp. Site 11/ | 6 miles | | | | |
| | Avg. Miles Driven/truck/day 11/ | 25 to 30 | | NA | -- | |
| | Avg. Hours worked/day 11/ | 6 | | | 8 | |
| | Direct men | 113 | 12 | 6 | 21 3/4 | |
| | Crews | 36 | 6 | 3 | 9 | |
| | Crew Size | 3 | 2 | 2 | 1 | |
| | Trucks | 43 | 6 | 3 | 9 (8 sweepers, 1 truck) | |
| Wages | Avg. wages and fringe for laborers | $589-717/month | | | | |
| | Avg. wages and fringe for drivers | $667-810/month | | | | |
| Collection Cost/Efficiency Figs. | Stops/Crew/Day | 420 | NA | Variable | -- | |
| | Tons/Crew/Day | 8 to 10 11/ | NA | Variable | -- | |
| | Coll. Cost/unit/yr. | 45.84 | 174.99 | 2.43 | -- | |
| | Coll. Cost/person/yr. | 15.36 | 1.63 | .82 | -- | |
| | Coll. Cost/ton/yr. | | 26.64 | | -- | |
| | Total Coll. Cost/yr. 12/ | 2,669,443. | 283,480. | 141,740. | NA | |
| Disposal | Type & No. of Disp. Sites | Landfill - one | | | | |
| | Total Disp. Cost/yr 13/ | 118,116.95 | | | | |
| Total | Total Cost/yr. 14/ | 3,212,780 | | | | |
| Misc. Cost Ratios | Coll. Expense as % of tot. Exp. | 96 | | | | |
| | Coll. labor expense as % of tot. Coll. | 66 | | | | |
| | Coll. equip. expense as % of tot. Coll. | 33 | | | | |
| | Proc. & Disp. expense as % of tot. exp. | 4 | | | | |
| | Proc. & Disp. labor expense as % of tot. disp. | 66 | | | | |

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TABLE 7: CONTINUED

NOTES:

1/ Estimated by Fresno Chamber of Commerce.

2/ Based on 1970 Census of Housing Statistics.

3/ Based on data from Finance Department, indicating a total of 51,620 total customers and 50,000 residential stops.

4/ Based on Finance Department data.

5/ Based on 1973-1974 Budget, City of Fresno.

6/ From Fresno Chamber of Commerce data.

7/ Based on actual records kept by Waste Disposal Division from August 1972 to July 1973.

8/ Based on collections from mixed refuse-yard rubbish and commercial-industrial sources.

9/ Based on a 365-day year.

10/ Based on Fresno Municipal Code.

11/ Based on estimates by Waste Disposal Division.

12/ Collection costs allocated according to the number of personnel associated with each function (administrative staff proportioned over the functions in the same manner).

13/ Disposal costs allocated from total costs according to number of men attached to sanitary landfill.

14/ From 1972/73 Budget, City of Fresno.

The collection cost per residential unit per year as calculated in this table falls just slightly below the $47.40 that residents in single-family homes pay for twice-a-week carry-out service (at $3.95/month). This is attributed to the fact that the city is able to collect refuse from single-family homes at a slightly lower cost than what it is charging the residents. Further, disposal costs have not been included and, if so, the total costs would be very close to the total revenues. Thus, this system is able to be essentially self-sustaining. The closeness of the two figures reflects how well the Waste Disposal Division Management are able to assess and charge for the costs of their services.

Collection costs per ton per year are on the high side, and this figure represents collection of all types of solid wastes. However, the high level of service significantly contributes to this finding. The ratio of collection costs to total costs is very high (96%). This is due to the high collection costs as well as the fact that the city has been able to keep disposal costs low (about 80¢ per ton) by operating the same landfill over a period of 35 years. Furthermore, a low water table, availability of cover material, acceptance of only city-collected wastes, and various other factors help to make the landfill operation very efficient and relatively low in cost.

## 5.4: Disposal Function

The City of Fresno has a rather remarkable disposal history in that for the past 35 years it has utilized just one major landfill. The open-burning dump that was closed in 1960 did not contribute significantly to the disposal operations. The present landfill covers 135 acres and has a remaining life of two to three years. The daily waste loading of this landfill is 450 tons which comes from city collection vehicles and the street cleaning operations.

Four men are employed at this site. They all are heavy equipment operators, except for one man designated as a landfill equipment leadman, who supervises operations. Eight pieces of equipment are utilized at the site, including: one TD 20 Caterpillar bulldozer; one TD 15 International Harvester bulldozer; one 9-yard International Harvester scraper; one 21-yard Caterpillar scraper; one grader; one water truck; one lubrication truck; and one Caterpillar compactor.

The method of operation at this site is fairly simple and has proven successful in avoiding common landfill problems. The site is rectangular in shape and so trenches are dug perpendicular to the long axis of the site. The terrain is flat and trenches are cut at a uniform depth of 20 feet. They are dug about 80 feet wide and 1200 feet long. Collection trucks dump into the trench at the working end, and the bulldozers initially compact the material. Six inches of daily cover is provided, and in this manner the trench is built up to ground level. The fill is then continued upward for another 20 feet above ground level. Two feet of final cover is placed over the completed "trench."

The operation is very neat with minimal blowing or odor problems, even though the temperature was close to 100° F. when the site was visited. A fence surrounds the property and flowering shrubs have been planted on the side of the fill adjacent to the access road. A drainage ditch on the other side of the fill property separates the site from orchards. The site presents a pleasing appearance in an otherwise completely flat topography. Also located at the site is an area laid out to serve as a truck driver training course.

The total amount of incoming refuse into this fill has been recorded by the city (Figure 8).

| Date | Volume (tons) 1/ |
|---|---|
| June, 1972 | 10,705 |
| July, 1972 | 10,702 |
| August, 1972 | 10,706 |
| September, 1972 | 10,103 |
| October, 1972 | 9,457 |
| November, 1972 | 10,076 |
| December, 1972 | 9,070 |
| January, 1973 | 9,450 |
| February, 1973 | 8,704 |
| March, 1973 | 10,275 |
| April, 1973 | 10,678 |
| May, 1973 | 11,201 |
| June, 1973 | 10,408 |
| July, 1973 | 10,459 |

1/ Estimated from truck volume and usage

FIGURE 8: SOLID WASTE LOADING AT THE FRESNO LANDFILL

## 5.5: Labor-Management Relations

The City of Fresno has experienced the normal problems with employees performing solid waste collection and disposal activities but not to any significant extent. For the most part, employee turnover is nominal and is principally found among the collection laborers. However, above this level (from driver on up), turnover essentially vanishes. To partially combat the turnover problem, there was an across-the-board salary raise of 6.5 percent in July of 1973.

More serious, however, is the relatively high absenteeism rate that was said to be a problem among collection helpers. This is no surprise, given the high level carry-out service and the summer extremes in temperature and humidity. The city compensates for this problem by hiring temporary casual labor on a daily basis. Additionally, the pay increase is hoped to partially alleviate this problem.

The city has a number of tenured employees in the Waste Disposal Division. The previous superintendent retired after 26 years of service to the city, and the present Acting Superintendent, a former supervisor in the division, has been with the city over 20 years. The other foremen have been with the city 10, 12, 15, and 27 years respectively. The clerical staff has been with the division for periods of up to 10 years. The surprising tenure statistic is that of the skilled labor category-truck drivers and heavy equipment operators. These men have been with the city for an average of about 15 years.

The collection laborers have an average tenure of five years, a factor which indicates that the force has a stable core. Consequently, turnover and absenteeism can be attributed to only a nominal number of positions among the laborers.

Employees of the division at all levels receive the same benefits. These include:

- Free hospitalization
- Sick leave (accumulated at one day per month)
- Paid holidays at 12 days/year
- Paid vacation at 1 day/month for less than 10 years' service; 1-1/3 days/month for 10 to 20 years of service; 1-2/3 days/month for over 20 years of service
- Retirement pension plan with equal contributions by employer and employee, amounting to 2 percent of annual salary/year for the first 20 years and 1 percent of annual salary/year after the first 20 years
- Fully paid Workmen's Compensation
- Death benefits equal to six months' salary
- Disability pay equal to one-third of salary if injured on the job (available after 10 years of service).

The Superintendent, Supervisor, and four foremen do not belong to any union. The clerical employees belong to the Fresno City Employees Association, a non-supervisory white collar unit. At least 90 percent of the truck drivers and waste collectors belong to the local chapter of the American Federation of State, County, and Municipal Employees. This union has signed a contract with the city and has negotiated a pay raise for its members, which included the increased health/welfare and disability benefits.

Among other points covered in the contract were that the city would pay 50 percent of the cost of uniforms, and would also provide hats, safety glasses, and gloves at the rate of one pair per month. Also, prior to the union contract, the waste collection crews did not work on holidays -- instead they worked 10 hours/day for the next two days to make up for lost collection time. This was hard on the men and equipment. However, after the union contract was signed, the only holidays the collection crews receive are Christmas, New Year's Day, and Thanksgiving. The contract also requires collection crews to return to any stops where they have missed service within one day of the complaint call.

The legal base for the union in Fresno is provided by the Meyers-Milias-Brown Act of the State of California, incorporated into the California Government Code, Sections 3500-3510. The purpose of this Act is to promote better communications between the public sector and its employees by providing a method of resolving disputes regarding wages, hours, and other terms and conditions of employement. The Act provides a basis for ensuring the right of public employees to join organizations of their own choice and be represented by such organizations in their employment relations with public agencies.

Pursuant to the passage of this Act, Fresno added an article to its Municipal Code to establish an employer-employee relations system. This is Article 19, Chapter 2, and is presented in full in Appendix C. The employee must fill out a form indicating that he wishes to join the union chosen to represent his particular city unit.

The City of Fresno has printed guidelines for employees to begin a formal grievance procedure and, conversely, for supervisors to take corrective actions with their employees.

Grievances are handled in four steps. Before any action can be taken, the employee must fill out the grievance form in which he must indicate: (1) the violation of a rule or regulation resulting in damage of some kind to the employee, (2) the act or omission of a supervisor in interpreting or applying city or departmental rule or policy related to the employee, and (3) the correction sought or the relief or remedy desired. The written application is then submitted to the employee's immediate supervisor, the department head, a Grievance Advisory Committee, and finally, the City Manager, provided that the grievance has not been settled at the first two management levels.

The Supervisor's Guide to Corrective Action provides information as to the types of corrective action that may be taken in the case of violation of working rules. It emphasizes that consideration must be given to the special circumstances surrounding each case while providing a standard set of actions. Among the suggested corrective actions are:

- Retraining
- Written reprimand
- Fine in lieu of suspension
- Suspension without pay
- Demotion for cause
- Permanent record of poor service
- Dismissal or removal.

The city has begun documenting accident and injury data. A summary of injuries, disabilities, and occupational diseases has been made for the Waste Disposal Division and is presented in Figure 9. The major injuries in descending order of frequency are: back injuries; shoulder strain; cuts and bruises on the hands; sprained ankles; and skin irritations. Only one permanent injury (to the back) was sustained last year.

The city has recently introduced a driver and safety training program for waste disposal employees. The details of the program are presented in Appendix D. The objective of this program is to reduce on-the-job injuries and vehicle accidents within the Waste Disposal Division. The procedure followed in this program is for the instructor to ride with a different crew each week on their daily routes. The instructor will evaluate the crew's deficiencies with respect to safety factors. During the week, training will be conducted on a Field Test Course (at the landfill).

## WASTE DISPOSAL

### REPORTABLE INJURIES AND OCCUPATIONAL DISEASES

| Fiscal Year 1972-1973 | Disabilities | Injuries |
|---|---|---|
| JULY | 0 | 6 |
| AUGUST | 0 | 7 |
| SEPTEMBER | 0 | 6 |
| OCTOBER | 0 | 9 |
| NOVEMBER | 0 | 4 |
| DECEMBER | 1 | 6 |
| JANUARY | 0 | 7 |
| FEBRUARY | 1 | 5 |
| MARCH | 0 | 7 |
| APRIL | 0 | 7 |
| MAY | 0 | 6 |
| JUNE | 0 | 11 |
| 12-Month Total | 2 | 81 |
| 1972 - 12-Month JUNE | 9 | 87 |

---

### EMPLOYEE INDUSTRIAL ACCIDENTS MAN-HOURS LOST

| | | | |
|---|---|---|---|
| JULY | 168 | JANUARY | 128 |
| AUGUST | 288 | FEBRUARY | 96 |
| SEPTEMBER | 112 | MARCH | 104 |
| OCTOBER | 363 | APRIL | 128 |
| NOVEMBER | 136 | MAY | 112 |
| DECEMBER | 176 | | |

FIGURE 9: INJURY DATA -- FY 1972/1973

Improvement will be evaluated at the end of the week by use of individual scores and combined score for the entire crew. Since the program has just started, evaluation is not yet possible.

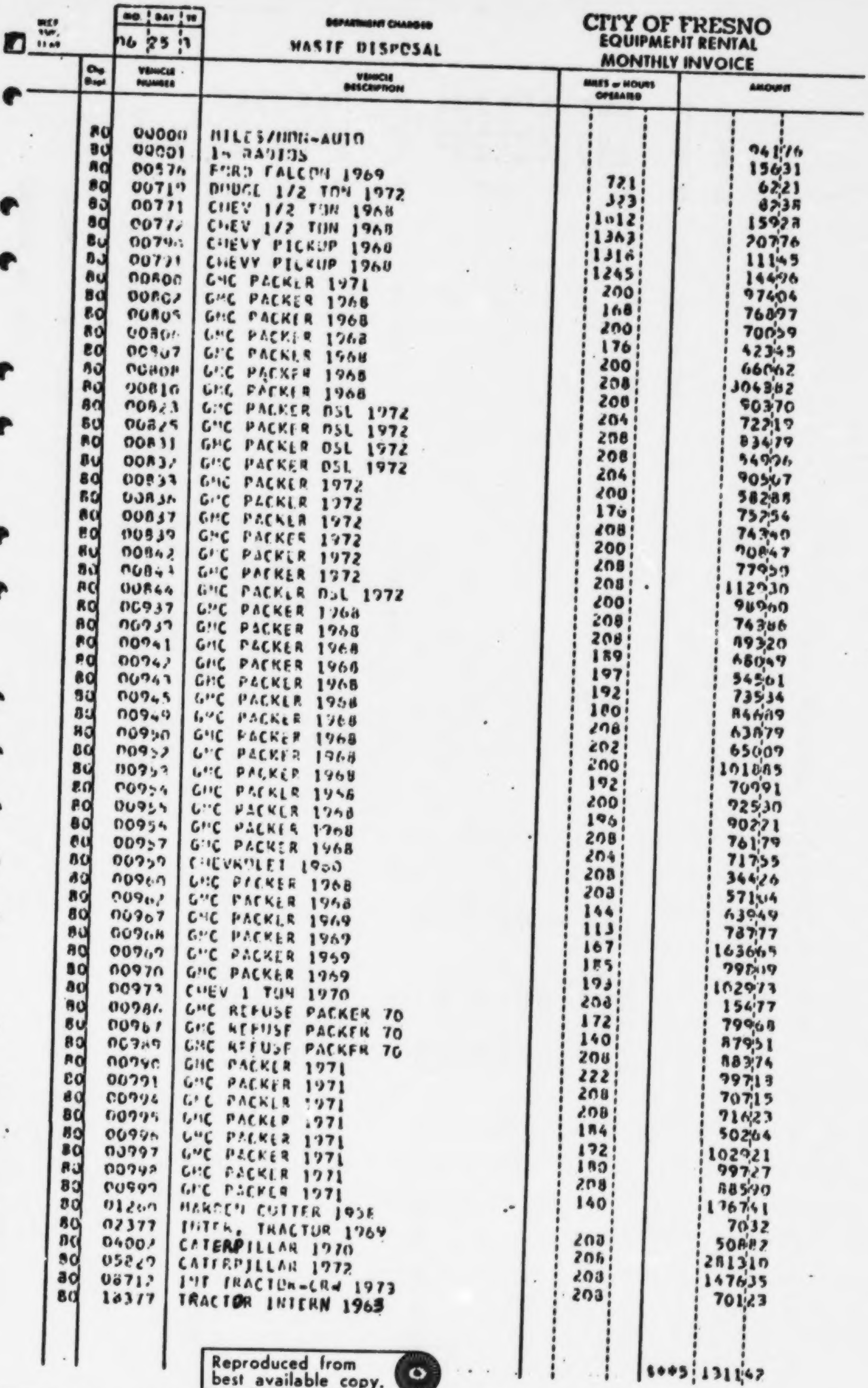
### 5.6: Equipment Description and Policy

The Waste Disposal Division operates 63 pieces of equipment. These include forty rear-loaders and four front-loaders of 20 cubic-yard capacity; five side-loaders of 29 cubic-yard capacity; five pickup trucks (one for the supervisor, four for the collection foremen); one sedan for the superintendent; two bulldozers; two sweepers; one grader; one lubrication truck; one water truck; and one compactor.

The Fleet Management Division is responsible for servicing and maintaining the Waste Disposal Division's equipment. The superintendent of this division carefully monitors this equipment and the costs for maintaining it. Computerized records are kept of significant vehicle parameters.

Figure 10 is a listing of the equipment record maintained by this Division, presenting the miles travelled by each vehicle and the rental charge to the Waste Disposal Division. Fleet Maintenance also keeps a complete record of their operational costs for each vehicle. An example of the vehicle cost statement is shown in Figure 11.

The equipment replacement policy practiced by Fresno has been outlined by the Assistant Public Works Director in a paper entitled "Equipment Replacement Potential," reproduced in Appendix E. This replacement model appears to use the concept of comparing historic "sunk" costs for old equipment with the cost of new equipment rather than the more traditional method of comparing the next year's costs for both old and new equipment. The Fleet Maintenance Division keeps a record of individual equipment depreciation and its anticipated replacement time for this purpose.



CITY OF FRESNO
EQUIPMENT RENTAL
MONTHLY INVOICE

| MO. | DAY | YR | DEPARTMENT CHARGED |
|---|---|---|---|
| 06 | 25 | 3 | WASTE DISPOSAL |

| Chg. Dept. | VEHICLE NUMBER | VEHICLE DESCRIPTION | MILES or HOURS OPERATED | AMOUNT |
|---|---|---|---|---|
| 80 | 00000 | MILES/HRS-AUTO | | |
| 80 | 00001 | 14 RADIOS | | 94176 |
| 80 | 00576 | FORD FALCON 1969 | | 15631 |
| 80 | 00719 | DODGE 1/2 TON 1972 | 721 | 6221 |
| 80 | 00771 | CHEV 1/2 TON 1968 | 323 | 8238 |
| 80 | 00772 | CHEV 1/2 TON 1968 | 1012 | 15928 |
| 80 | 00790 | CHEVY PICKUP 1960 | 1363 | 20776 |
| 80 | 00791 | CHEVY PICKUP 1960 | 1316 | 11145 |
| 80 | 00800 | GMC PACKER 1971 | 1245 | 14496 |
| 80 | 00802 | GMC PACKER 1968 | 200 | 97404 |
| 80 | 00805 | GMC PACKER 1968 | 168 | 76897 |
| 80 | 00806 | GMC PACKER 1968 | 200 | 70059 |
| 80 | 00807 | GMC PACKER 1968 | 176 | 42345 |
| 80 | 00808 | GMC PACKER 1968 | 200 | 66062 |
| 80 | 00810 | GMC PACKER 1968 | 208 | 104382 |
| 80 | 00823 | GMC PACKER DSL 1972 | 208 | 90370 |
| 80 | 00825 | GMC PACKER DSL 1972 | 204 | 72219 |
| 80 | 00831 | GMC PACKER DSL 1972 | 208 | 83479 |
| 80 | 00832 | GMC PACKER DSL 1972 | 208 | 54996 |
| 80 | 00833 | GMC PACKER 1972 | 204 | 90567 |
| 80 | 00836 | GMC PACKER 1972 | 200 | 58288 |
| 80 | 00837 | GMC PACKER 1972 | 176 | 75754 |
| 80 | 00839 | GMC PACKER 1972 | 208 | 74340 |
| 80 | 00842 | GMC PACKER 1972 | 200 | 90847 |
| 80 | 00843 | GMC PACKER 1972 | 208 | 77959 |
| 80 | 00844 | GMC PACKER DSL 1972 | 208 | 112930 |
| 80 | 00937 | GMC PACKER 1968 | 200 | 98960 |
| 80 | 00939 | GMC PACKER 1968 | 208 | 74386 |
| 80 | 00941 | GMC PACKER 1968 | 208 | 89320 |
| 80 | 00942 | GMC PACKER 1968 | 189 | 68049 |
| 80 | 00943 | GMC PACKER 1968 | 197 | 54561 |
| 80 | 00945 | GMC PACKER 1968 | 192 | 73534 |
| 80 | 00949 | GMC PACKER 1968 | 180 | 86609 |
| 80 | 00950 | GMC PACKER 1968 | 208 | 63879 |
| 80 | 00952 | GMC PACKER 1968 | 202 | 65009 |
| 80 | 00953 | GMC PACKER 1968 | 200 | 101885 |
| 80 | 00954 | GMC PACKER 1968 | 192 | 70991 |
| 80 | 00955 | GMC PACKER 1968 | 200 | 92530 |
| 80 | 00956 | GMC PACKER 1968 | 196 | 90271 |
| 80 | 00957 | GMC PACKER 1968 | 208 | 76179 |
| 80 | 00959 | CHEVROLET 1960 | 204 | 71755 |
| 80 | 00960 | GMC PACKER 1968 | 208 | 34426 |
| 80 | 00962 | GMC PACKER 1968 | 208 | 57104 |
| 80 | 00967 | GMC PACKER 1969 | 144 | 63949 |
| 80 | 00968 | GMC PACKER 1969 | 113 | 78777 |
| 80 | 00969 | GMC PACKER 1969 | 167 | 163665 |
| 80 | 00970 | GMC PACKER 1969 | 185 | 99809 |
| 80 | 00973 | CHEV 1 TON 1970 | 193 | 102973 |
| 80 | 00986 | GMC REFUSE PACKER 70 | 208 | 15477 |
| 80 | 00987 | GMC REFUSE PACKER 70 | 172 | 79968 |
| 80 | 00989 | GMC REFUSE PACKER 70 | 140 | 87951 |
| 80 | 00990 | GMC PACKER 1971 | 208 | 88374 |
| 80 | 00991 | GMC PACKER 1971 | 222 | 99713 |
| 80 | 00994 | GMC PACKER 1971 | 208 | 70715 |
| 80 | 00995 | GMC PACKER 1971 | 208 | 71623 |
| 80 | 00996 | GMC PACKER 1971 | 184 | 50264 |
| 80 | 00997 | GMC PACKER 1971 | 172 | 102921 |
| 80 | 00998 | GMC PACKER 1971 | 180 | 99727 |
| 80 | 00999 | GMC PACKER 1971 | 208 | 88590 |
| 80 | 01260 | HARDEN CUTTER 1958 | 140 | 176741 |
| 80 | 02377 | INTER. TRACTOR 1969 | | 7032 |
| 80 | 04002 | CATERPILLAR 1970 | 208 | 50882 |
| 80 | 05229 | CATERPILLAR 1972 | 206 | 281310 |
| 80 | 08712 | INT TRACTOR-CRW 1973 | 208 | 147635 |
| 80 | 18377 | TRACTOR INTERN 1965 | 208 | 70123 |
| | | | | $$$5 131147 |

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FIGURE 10: VEHICLE LISTING AND ACTIVITY RECORD

DEPT WASTE DISPOSAL

CITY OF FRESNO

EQUIPMENT OPERATING STATEMENT

| VEHICLE DESCRIPTION | TYPE OF CHARGE | | ←CURRENT MONTH→ MILES OR HOURS OPERATED | AMOUNT | COST PER MILE OR HOURS | ←ACCUMULATIVE YEAR TO DATE→ MILE-HOUR OPERATED | AMOUNT |
|---|---|---|---|---|---|---|---|
| INT TRACTOR-CRW 1973 | RPR PARTS | 2 | | $ 17.47 | | | $ 167.18 |
| | DIR LABOR | 3 | | 13.85 | | | 102.93 |
| | LUBRICAT | 6 | | 1.59 | | | 2.63 |
| | OTH FUEL | 8 | | 95.00 | | | 280.25 |
| | OVERHEAD | 10 | | 17.31 | | | 128.57 |
| | INSURANCE | 11 | | 8.04 | | | 16.08 |
| | DEPRECIAT | 12 | | 501.45 | | | 1,002.90 |
| | NRS USED | 96 | 208.00 | | | 624.00 | |
| | | | 208.00 | $ 654.71 | 3.1476 | 624.00 | 1,700.10 |
| TRACTOR INTERN 1963 | GAS | 1 | | | | | 25.26 |
| | RPR PARTS | 2 | | | | | 6,623.77 |
| | DIR LABOR | 3 | | | | | 4,761.39 |
| | OUT RPR | 4 | | | | | 34,321.54 |
| | OIL | 5 | | | | | 913.42 |
| | LUBRICAT | 6 | | | | | 436.54 |
| | OTH FUEL | 8 | | | | | 6,451.44 |
| | OVERHEAD | 10 | | | | | 5,953.44 |
| | INSURANCE | 11 | | | | | 642.61 |
| | DEPRECIAT | 12 | | | | | 23,994.30 |
| | NRS USED | 96 | | | | 22,597.00 | |
| | | | | $ .00 | | 22,597.00 | $ 84,161.21 |
| | | | | $34,923.82 | | | $2,127,547.57 |

FIGURE 11: MONTHLY AND ACCUMULATIVE VEHICLE COST DATA

## 5.7: Financial Aspects of the Fresno Solid Waste Management System

The Waste Disposal Division of the Public Works Department is known as an "Enterprise (or self-sustaining) Division" because its revenues meet the total costs of collecting, transporting, and disposing of all household mixed refuse, yard waste, and some commercial wastes generated within the city. The Waste Disposal Division charges service fees for the different functions it performs.

The capital and operating budgets for the Waste Disposal Division are developed simultaneously by the Superintendent of the Division with the aid of a budget analyst and the Assistant Director of Public Works. The Director of the Department of Public Works is responsible for final approval of the budget package before it is sent to the Budget Office and City Manager for review. The budget is based on (1) the projected tonnage of solid wastes expected as developed from past city records and (2) the population growth data.

### 5.7.1: Sources of Revenue

Revenue for the Waste Disposal Division is obtained from user charges, a system which has been in effect in one form or another since the city acquired the solid waste management system in 1937. There are currently four distinct sources of revenue which are summarized in Table 8, along with appropriate historical data. The revenue from customer account charges is collected through a working arrangement with the Water Division: the Waste Disposal Division's accounts receivable are transferred to the Water Division for service and collection. Billing is performed bimonthly and in advance to flat-rate customers.

Table 8 shows a gradual increase in total revenues since the 1968/1969 Fiscal Year, except for a sharp rise in the 1971/1972

## TABLE 8: SOURCES OF REVENUE FOR WASTE DISPOSAL DIVISION

| From: | FY 1968/1969 | FY 1969/1970 | FY 1970/1971 | FY 1971/1972 | FY 1972/1973 | FY 1973/1974 |
|---|---|---|---|---|---|---|
| Customer Accounts | 2,133,611 | 2,250,377 | 2,406,924 | 3,266,268 | 3,347,200 | 3,531,353 |
| Inter-Departmental Charges | 10,888 | 8,670 | 10,736 | 11,688 | 31,000 | 31,847 |
| Rental of Landfill Property | 610 | 1,108 | 2,414 | 1,600 | 600 | 600 |
| Division of Highways | -- | -- | -- | 500 | 1,200 | 1,200 |
| Premium Refund (Workmen's Compensation Insurance) | 6,599 | -- | -- | -- | -- | -- |
| Interest | 9,804 | 13,504 | 15,341 | -- | -- | -- |
| Miscellaneous | 75 | 1,717 | 227 | -- | -- | -- |
| Total | 2,161,587 | 2,275,376 | 2,435,643 | 3,280,056 | 3,380,000 | 3,565,000 |

fiscal year, most of which can be attributed to an increase in customer account revenues. This increase resulted from the 1970 ordinance making twice-a-week pick-up mandatory (excepting by special request during the winter months). Simultaneously, customer charges were raised. Since then, the increase in revenues has been gradual.

The waste collection and disposal rates for commercial customers were previously presented in Table 6. These rates vary according to type and capacity of container, number of containers, and frequency of service. Bulky items and other large volume materials are collected by "Special Hauls" on request and charged according to the amount of time required.

### 5.7.2: Expenditures

Expenditures by the Waste Disposal Division are categorized under three main headings: employee services (consisting of salaries and wages); materials, supplies, and related services; and capital outlay for equipment. These are synopsized in Table 9 for the fiscal years from 1969/1970 to the present. Generally, the expenditure level in all categories has been gradually increasing. A future exception to this pattern may be in the category of employee services, as it is anticipated that a reduction in personnel will take place. This is due to the introduction of the new side-loading packers which, although requiring more trucks, permits a reduction in crew size to accomplish the same amount of collection service. This transition is indicated in Table 10, which shows the number of personnel employed and their respective salary and wage appropriations for the most recent fiscal years. A detailed breakdown of employee service expenditure is presented in Table 11 to indicate more closely where savings are being effected. While health and welfare benefits are increasing, expenditures for wages and contingencies are decreasing.

### TABLE 9: EXPENDITURES OF WASTE DISPOSAL DIVISION

| Classification: | FY 1/ 1969/1970 | FY 1/ 1970/1971 | FY 1/ 1971/1972 | FY 2/ 1972/1973 | FY 3/ 1973/1974 |
|---|---|---|---|---|---|
| Salaries and Wages (Employee Services) | 1,513,919 | 1,658,547 | 1,959,184 | 2,116,921 | 2,029,267 |
| Materials, Supplies, and Services | 685,139 | 756,167 | 772,018 | 897,440 | 1,015,730 |
| Equipment Outlay | 149,954 | 119,606 | 142,111 | 198,420 | 219,180 |
| Total Budget | 2,349,012 | 2,534,328 | 2,873,313 | 3,212,781 | 3,264,177 |

1/ Expended
2/ Approved
3/ CAO Recommendation

## TABLE 10: DETAIL OF SALARIES & WAGES

| CLASSIFICATION | POSITION QUOTA | | | APPROPRIATIONS | | |
|---|---|---|---|---|---|---|
| | 71/72 | 72/73 | 73/74 | 1971/1972 | 1972/1973 | 1973/1974 |
| SALARIES | | | | | | |
| Waste Disposal Supt. | 1 | 1 | 1 | 15,984 | 16,788 | 17,460 |
| Waste Disposal Supvr. | 1 | 1 | 1 | 12,228 | 12,840 | 13,344 |
| Waste Disposal Foreman | 4 | 1 | 4 | 43,154 | 14,136 | 49,606 |
| Dragline Operator | 1 | 3 | 0 | 14,136 | 40,788 | 0 |
| Heavy Equipment Operator | 3 | 4 | 3 | 40,788 | 46,610 | 37,668 |
| Waste Disp. Truck Drivers | 57 | 52 | 49 | 483,333 | 486,096 | 458,052 |
| Waste Collectors | 91 | 88 | 91 | 645,562 | 702,356 | 458,052 |
| Sr. Typist Clerk | 1 | 1 | 1 | 6,804 | 6,972 | 7,140 |
| Typist Clerk | 2 | 2 | 2 | 12,000 | 11,819 | 12,396 |
| Landfill Equipment Leadman | 0 | 0 | 1 | 0 | 0 | 14,136 |
| Total | 161 | 153 | 153 | 1,273,989 | 1,338,405 | 1,342,941 |
| WAGES | | | | 119,036 | 204,950 | 147,302 |
| OVERTIME | | | | 69,740 | 66,080 | 70,690 |
| PREMIUM PAY | | | | 9,775 | 6,470 | 9,616 |
| Total Personal Services | 161 | 153 | 153 | 1,472,540 | 1,615,905 | 1,570,549 |

## TABLE 11: RECAP OF EMPLOYEE SERVICES

| | | 1972/1973 | 1973/1974 |
|---|---|---|---|
| 00 | Salaries | 1,338,405 | 1,342,941 |
| 01 | Wages | 204,950 | 147,302 |
| 02 | Overtime | 66,080 | 70,690 |
| 03 | Premium Pay | 6,470 | 9,616 |
| 06 | Contingency | 106,183 | -- |
| 07 | Clothing & Personal | 18,720 | 19,064 |
| 08 | Workmen's Comp. Ins. | 137,825 | 133,674 |
| 09 | Social Security | 10,830 | 8,617 |
| 10 | Retirement (F&P) | -- | -- |
| 11 | Retirement (General) | 181,558 | 192,063 |
| 12 | Health & Welfare | 45,900 | 105,300 |
| | Total Employee Services | 2,116,921 | 2,029,267 |

Capital expenditures are summarized in Table 12 for last three fiscal years. The capital outlay requirements have been gradually increasing, with major commitments of capital each year to expansion of the sanitary landfill, the purchase of refuse containers, and the purchase of new trucks (especially the side-loaders).

All expenditures are summed in Table 13. Employee services account for approximately two-thirds of the total operating costs of the Waste Disposal Division. The greatest fraction of the remaining part of the budget is interdepartmental charges. These charges are mostly from the Fleet Maintenance Division for rental, maintenance, and servicing of Waste Disposal Division equipment.

### 5.7.3: Cash Position

The Waste Disposal Division finishes each year with a "profit" as its revenues always exceed its expenditures. Thus, the division is constantly building a cash fund. As expenditures rise from year to year and the gap between revenues and expenditures narrows, the user charge is increased. This increase has been occurring on a four-to-five-year cycle.

The cash position of the Waste Disposal Division for the two past fiscal years and projected for 1973/1974 is presented in Table 14.

## TABLE 12: DETAIL OF CAPITAL OUTLAY

| Description | Quantity | | | Appropriations | | |
|---|---|---|---|---|---|---|
| | 71/72 | 72/73 | 73/74 | 71/72 | 72/73 | 73/74 |
| **LAND** | | | | | | |
| Future expansion of sanitary landfill site | | | | 53,000 | 53,000 | 53,000 |
| **BUILDINGS** | | | | | | |
| Portable building for sanitary landfill | | | | | 2,950 | |
| **IMPROVEMENTS** | | | | | | |
| Shrubs, trees, fencing, landscaping, etc. for existing landfill | | | | 10,000 | 5,000 | 5,000 |
| For proposed site | | | | | 5,000 | |
| **MACHINERY & EQUIPMENT** | | | | | | |
| Bins and street-side litter cans | | | | 50,000 | | |
| Refuse containers | | 460 | 460 | | 57,500 | 57,500 |
| Container servicer w/arm forks | | 1 | | | 800 | |
| Heavy duty, self-closing waste receptacles | | 52 | 12 | | 1,560 | 1,170 |
| Calculator | | 1 | | | 630 | |
| **NEW ADDITIONAL FLEET EQUIPMENT** | | | | | | |
| Rear-loader packer truck (radio-equipped) | 1 | | | 23,800 | | |
| 1/2 ton pick-up (radio-equipped) | 1 | | | 3,200 | | |
| Ten-wheel, dual drive, Diesel-powered truck (radio-equipped) | 1 | 1 | | 24,800 | 29,500 | |
| 2/channel mobile radios | | 21 | 23 | | 14,180 | 14,950 |
| 29/cubic-yard side-loader refuse packer | | 1 | 3 | | 28,300 | 87,000 |
| Radio page unit | | | 2 | | | 560 |
| **TOTAL CAPITAL OUTLAY** | | | | 164,800 | 198,420 | 219,180 |

## TABLE 13: TOTAL EXPENDITURES OF WASTE DISPOSAL DIVISION

| | OBJECT CLASSES | | | | |
|---|---|---|---|---|---|
| | 1969/70 EXPENDED | 1970/71 EXPENDED | 1971/72 EXPENDED | 1972/73 APPROVED | 1973/74 CAO RECOMMENDATION |
| 1. Employee Services | 1,513,919 | 1,658,547 | 1,959,184 | 2,116,921 | 2,029,267 |
| 2. General Expenses | 13,362 | 12,333 | 10,400 | 12,720 | 13,995 |
| 3. Education and Travel | 226 | 1,057 | 678 | 1,350 | 1,395 |
| 4. Maintenance - Buildings and Grounds | 1,096 | 160 | 368 | 2,000 | 30,000 |
| 5. Maintenance - Equipment | 246 | 257 | 222 | 3,710 | 5,795 |
| 6. Special Expenses | 91 | 1,533 | 268 | 41,300 | 44,500 |
| 7. Interdepartmental Charges | 661,152 | 731,845 | 750,597 | 826,280 | 910,220 |
| 8. Insurance, Taxes and Debt Services | 8,966 | 8,982 | 9,485 | 10,080 | 9,215 |
| 9. Capital Outlay | 149,954 | 119,606 | 142,111 | 198,420 | 219,180 |
| TOTAL BUDGET | 2,349,012 | 2,534,320 | 2,873,313 | 3,212,781 | 3,263,567 |

## TABLE 14: CASH POSITION SUMMARY

| | 73/74 | 72/73 | 71/72 |
|---|---|---|---|
| Estimated Balance June 30, beginning of fiscal year | $ 641,579 | $ 425,470 | $ 50,535 |
| Estimated Revenue during fiscal year | 3,565,000 | 3,380,000 | 3,280,056 |
| Total Available | 4,206,579 | 3,805,470 | 3,330,591 |
| Less: Estimated Expenditures during fiscal year | 3,263,567 | 3,204,781 | 2,964,037 |
| Estimated Balance end of fiscal year | $ 943,012 | $ 600,689 | $ 366,554 |

# APPENDIX A

## Articles 4 and 5 of the City of Fresno Municipal Code

# ARTICLE 4

# GARBAGE, RUBBISH AND REFUSE

Section 9-401. Title.
9-402. Definitions.
9-403. Waste Containers.
9-404. Waste Disposal Regulations.
9-404.1 (Repealed)
9-405. Waste Disposal Charges.
9-406. Rules and Regulations.
9-407. Salvage Garbage.
9-408. Private Garbage Collection Permits. Location Permits.
9-409. Garbage Collection Prohibited.
9-410. Disposal of Waste Matter.
9-411. Financial Procedures.
9-412. Burying Garbage Prohibited.
9-413. (Repealed)
9-414. (Repealed)

SECTION 9-401. TITLE. The title of this article shall be the Waste Disposal Ordinance. (Rep. and Added Ord. 67-107, 1967.)

SECTION 9-402. DEFINITIONS. Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning and application of words and phrases used in this article, and, except to the extent that a particular word or phrase is otherwise defined in this section, the definitions and provisions contained in Article 3 (commencing with Section 1-301) of Chapter 1 of this Code shall also govern the construction, meaning and application of words and phrases used in this article. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derivative from it, or from which it is a derivative, as the case may be.

(a) "Director" shall mean the Director of Public Works of the city.

(b) "Mixed waste" shall mean waste materials of all kinds other than human and animal excrement and earth, and includes, but is not limited to garbage, rubbish, waste, waste products, and refuse.

(c) "Residential rubbish" shall mean mixed waste which is normally produced at and discarded from a dwelling, but does not include liquids, food waste, food containers or wrappers, or animal bodies or parts. (Rep. and Added Ord. 67-107, 1967, based on former Sec. 9-401.)

SECTION 9-403. WASTE CONTAINERS.

(a) All non-disposable containers in which mixed waste is to be placed shall be equipped with tight-fitting covers and bails or handles; shall be free from rough or jagged edges likely to cause injury to persons handling them and shall be constructed of galvanized metal, corrosion free metal, rubber, plastic, or other material approved by the Director.

(b) All mixed waste containers shall be kept free of holes, cracks, dents, and similar defects which seriously impair their use for the purpose for which used.

(c) No mixed waste container intended to be lifted by human effort shall exceed thirty gallons in capacity, effective July 1, 1970.

(d) Other than disposable residential rubbish boxes, all containers shall be of standard twenty or thirty gallon capacities, provided that fifty-five and sixty gallon capacity containers may be used until July 1, 1970.

(e) All bins shall have covers and be of one to six cubic yards in capacity, shall be designed to be emptied or moved by the use of mechanical equipment, and shall be of a type and form approved by the Director.

(f) No object which is too large to fit in the collection vehicle shall be placed for collection.

(g) Disposable residential rubbish boxes shall not be less than one cubic foot nor more than fifteen cubic feet in capacity. (Rep. and Added Ord. 67-107, 1967, based on former Sec. 9-402; Am. Ord. 70-7, 1970).

## SECTION 9-404. WASTE DISPOSAL REGULATIONS.

(a) **All Persons Subject.** No person shall dispose of any mixed waste intended to be collected by the city, or keep any mixed waste other than as indicated in this section.

(b) **Waste To Be Removed.** Every person occupying or having charge or control of any place or premises where there is any accumulation of waste, shall cause the same to be removed or disposed of at least twice each calendar week (except that residential rubbish may be removed or disposed of only once each calendar week) except for those weeks or months of the year as may be indicated in this article for less frequent collection.

(c) **Rules of Residential Waste Disposal.**

(1) All mixed waste shall be placed in covered containers, except that residential rubbish may be placed in disposable cardboard boxes and paper products and vegetation limbs may be securely tied in bundles not exceeding four feet in length and eighteen inches in diameter. All boxes and bundles will be collected and disposed of without return.

(2) No waste container, box, or bundle, except for one to six cubic yard bins, shall be loaded so that the total weight is more than seventy pounds.

(3) All mixed waste shall be kept in waste containers, boxes, or bundles as herein provided.

(4) No mixed waste from any place or premises shall be deposited in the waste containers of, or set out for collection at, any other place or premises.

(5) Each place or premises shall be provided with sufficient containers to adequately store and dispose of the normal periodic accumulation of waste.

(6) No mixed waste or containers shall be kept or handled in such a manner as to become a nuisance; no container shall be left uncovered, and no mixed waste shall be allowed to become odoriferous or a producer of vermin. All mixed waste accumulated for longer than the period allowed in this article, and the keeping thereof, is hereby declared to be a nuisance.

(7) No live or hot coals or ashes or other thing which can cause a fire in a collection vehicle shall be placed in or with any mixed waste set out for collection.

(8) All residential rubbish placed for collection shall be placed in the alley at the rear of the premises, or, if there is no alley, at the curb in the front of the premises, except that where mixed waste collection is made by driving the collection vehicle onto the premises, residential rubbish shall be placed at the location of collection of the mixed waste.

(9) No mixed waste containers or residential rubbish shall be stored in the front yard or side yard on a street as said yards are described in Chapter 12, Article 2 of this Code, unless the containers or rubbish are screened from view of a street or other properties in the area.

(10) No mixed waste containers or residential rubbish shall be placed for collection at a curb sooner than 6:00 p.m. of the day preceding the day of collection nor be allowed to remain at the curb after the day of collection.

(11) No human or animal excrement shall be placed for collection by the city, except that solid animal excrement may be placed in a waste container if securely wrapped in paper or a non-porous wrapper, or held in a closed bottle or can.

(d) **Rules of Commercial Waste Disposal.**

(1) Mixed waste may be kept in such rooms or places as are approved by the Director for the safe and clean keeping of waste.

(2) Mixed waste from all commercial establishments and multiple residences must be placed for collection in bins. Said bins shall be furnished, repaired, and replaced by the city at no charge in addition to the monthly collection charge set forth in Section 9-405, subsection (d), except as provided in Section 9-405, subsection (c). This provision shall not apply to commercial establishments or multiple residences authorized by the Director to use other containers approved in this article, or to those commercial establishments or multiple residences serviced by a private garbage collector operating under a private garbage collection permit.

(3) Bins used at commercial establishments and multiple residences on alleys shall be placed for collection of mixed waste at the alley. Bins used at all such places not on alleys shall be placed for collection of mixed waste where it is feasible to service the bin as determined by the Director.

(e) **Days of Collection.** The capacity and number of mixed waste containers, days of collection, and number of collections exceeding two each week requested by any customer shall be subject to the approval of the Director giving full consideration to the nature and needs of the customer, and to the capabilities and efficient operation of the Waste Disposal Division.

Mixed waste will be collected on Sundays only at those premises where collection is made every day of each week. (Rep. and Added Ord. 67-107, 1967; Am. Ord. 67-108, 1967; Am. Ord. 70-7, 1970).

SECTION 9-404.1 (Added Ord. 5140, 1957; Repealed Ord. 67-107, 1967.)

## SECTION 9-405. WASTE DISPOSAL CHARGES.

(a) Waste and rubbish collection service shall be extended to the public at the following rates, fees, and under the following provisions.

(b) The city may enter into contracts with public agencies for the collection of waste materials at rates which vary from those prescribed by this article.

(c) Customers who own bins on January 29, 1970, may elect to use such bins, rather than bins furnished by the city, and for each such bin from which mixed waste is collected, said customer shall pay only the charge for an additional bin as set forth in subsection (d).

(d) The following charges shall be made and paid for waste collection services.

| Capacity of Container Bins | Number of collections per week and Amount of charge per month | | | |
|---|---|---|---|---|
| | 2 days | 5 days | 6 days | 7 days |
| 1 cubic yard | $18.40 | $ 46.00 | $ 55.20 | $ 66.75 |
| additional | 17.30 | 43.25 | 51.90 | 63.55 |
| 2 cubic yards | 33.60 | 84.00 | 100.80 | 123.45 |
| additional | 31.40 | 78.50 | 94.20 | 115.40 |
| 3 cubic yards | 46.50 | 116.25 | 139.50 | 170.85 |
| additional | 43.25 | 108.15 | 129.75 | 158.90 |
| 4 cubic yards | 59.50 | 148.75 | 178.50 | 218.65 |
| additional | 56.25 | 140.65 | 168.75 | 206.70 |
| 5 cubic yards | 72.50 | 181.25 | 217.50 | 266.40 |
| additional | 69.25 | 173.15 | 207.25 | 254.50 |
| 6 cubic yards | 85.50 | 213.75 | 256.50 | 314.20 |
| additional | 82.25 | 205.65 | 246.75 | 302.25 |
| **Other Containers** | | | | |
| 30 gallons or less | $ 3.95 | — | $ 11.85 | — |
| Additional | 3.05 | — | 9.15 | — |

(1) Rates for stationary compactor bins having a capacity from one (1) cubic yard to six (6) cubic yards (inclusive) shall be twice the rate established herein for bins of similar capacity not used with stationary compactors.

(2) Service for stationary compactor bins exceeding six (6) cubic yards capacity and debris boxes shall be defined as special hauls, and the rates shall be established as set forth in Section 9-405(j).

(e) The required twice-a-week collection may be reduced to once a week for residential collection and the $3.95 charge for the first thirty gallon container may be reduced to $3.70 during the months of November through April, inclusive, providing that the user of the service has made a written request (in such form and manner as may be prescribed by the Director of Finance) for said reduction prior to October 1 of any particular year, or any user who comes into possession of, and requests service to, the property after October 1 and before April 1 makes such a request upon commencing service. The reduction in the charge may be given by applying a credit against the regular waste collection charge.

(f) When collection of mixed waste is made from two or more containers of different capacity, the additional charge imposed by subsection (d) shall be based upon the capacity of each container used in addition to the one having the greatest capacity. The lesser charge for additional containers shall apply only when all containers are placed for collection at the same time and location, and all charges are billed on a single bill to the same customer.

(g) When service commences or closes, applicable charges may be prorated upon the basis of a thirty-day month, computed to the nearest five cents.

(h) Whenever service is stopped or varied and then is resumed by the same customer at the same premises within sixty days, a special service charge of three dollars shall be made.

(i) One cubic yard of residential rubbish will be collected from each separately-owned place or premises having waste collection service and on which there is a dwelling or dwellings, provided that the cubic yard may be collected from separate lots which are under common ownership when waste collection is from different locations and the Director finds that the uses thereon are not unified into a single establishment.

(j) Whenever any person accumulates an unusual amount of mixed waste which cannot be collected by any regular collection service being used by said person, he may request and receive a special haul of the waste. The charges for special hauls shall be set by the Director of Finance to reimburse the city for the direct and indirect costs of providing such service. The Director of Public Works shall determine the appropriate means of providing such special service. (Rep. and Added Ord. 67-107, 1967, based on former Sec. 9-403; Am. Ord. 67-108, 1967; Am. Ord. 70-7, 1970; Am. Ord. 71-44, 1971).

SECTION 9-406. RULES AND REGULATIONS. The Director may make such rules and regulations as are not inconsistent with the provisions of this article, as may be necessary or desirable to aid in the administration or enforcement of the provisions of this article. (Rep. and Added Ord. 67-107, 1967.)

SECTION 9-407. SALVAGE GARBAGE. Except in the case of waste construction materials discarded from the site of any new building construction or building repair, which materials may be privately collected, whenever the Director of Public Works shall determine that garbage, mixed garbage, or any kind of rubbish, refuse, trash, or waste whatever from any premises within the City is of such a nature that it can be salvaged for useful private purposes, that it can be privately collected and that it is advisable and economical to allow private collection thereof or when be determines that the Disposal Division cannot give adequate collection service and a private garbage collector can give adequate collection service with reasonable collection charges, then he shall allow a private garbage collector, suitable to the occupant of the premises to make such collections, but only upon the issuance of permits pursuant to the requirements of Section 9-408. (Orig. Ord. 3914; Am. Ord. 5309, 1958; Am. Ord. 5311, 19??; Am. Ord. 6442, 1964).

## SECTION 9-408. PRIVATE GARBAGE COLLECTION PERMITS. LOCATION PERMITS.

(a) **Application For Private Garbage Collection Permits.** Any person desiring to secure a permit for the private collection of materials described in Section 9-407 shall submit an application therefor to the Director of Public Works. The application shall be in a form approved by the Director of Public Works and shall include the following:

(1) Private collector's name, home address, business address, and telephone numbers. This includes information as to persons doing business under fictitious names, members of partnerships, and officers of corporations or associations.

(2) A list of equipment intended to be used by the private collector within the city including a full description thereof.

(3) A description of locations where the collector intends to deposit non-salvageable waste materials.

(4) The rates or charges to be imposed for private collection.

(5) The date upon which the applicant desires the permit to be issued.

(6) Such other and further information as the Director of Public Works may require.

(b) **Application for Location Permits.** Any private garbage collector who has secured a permit for the private collection of materials and who desires to secure a permit for the private collection of materials described in Section 9-407 from any particular location or premises within the City of Fresno, shall submit an application for such collection to the Director of Public Works for each location to be so collected. The application shall be in a form approved by the Director of Public Works and shall include the following:

(1) The private collector's name and private collector's permit number.

(2) The address of the location where the materials will be collected and the nature of activity thereon.

(3) The written approval of the request for a location permit by the owner or operator of the activity on the premises at the location from which the collection will be made.

(4) The character of and description of the materials to be collected from the location.

(5) The date the private collection is to begin.

(6) The number of collections anticipated per week or month.

(7) Equipment to be used in the collection.

(8) The rate or charge to be imposed for the private collection.

(9) Such other and further information as the Director of Public Works may require.

(c) **Simultaneous Applications and Issuance.** At the time of making application for a private collection permit, the applicant may apply for location permits and the private collection and location permits may be issued simultaneously.

(d) **Approval or Disapproval of Application; Issuance of Permit.** The Director of Public Works shall cause an investigation to be made of the facts stated in the application and shall immediately issue the private collector's permit, and in the case of an application for a location permit, within thirty days after the filing thereof, shall make or refuse to make the findings required by Section 9-407. Whenever the Director refuses to make findings allowing the collection of materials described in Section 9-407, he shall immediately notify the applicant in writing of the refusal to issue a permit. Whenever the Director makes the findings required by Section 9-407 he shall immediately issue a permit to the applicant for collection of the materials, as requested, provided that the permit may be restricted by conditions as provided in subsection (f) of this section.

(e) **Duration of Permits. Fees. Renewal.** The duration of permits issued pursuant to this article, the feer therefor, and renewal regulations are as follows:

(i) A private garbage collection permit shall be effective until the next ensuing 30th day of June, on and after which date it shall be null and void. The fee therefor shall be the annual amount of two hundred forty dollars ($240) which fee shall be prorated at the rate of twenty dollars ($20) per month for each month or part thereof between the date of issuance and the next ensuing 30th day of June. The fee for a permit issued to a private collector whose sole collection is a location or locations to which the Director has determined that the Disposal Division cannot give adequate collection service shall be five dollars ($5) per annum. The permit shall be renewable and application for renewal shall be made upon the form prescribed in subsection (a) above and shall be made by the 30th day of June, each year.

(ii) A location permit shall be effective until the next ensuing 30th day of June, on and after which date it shall be null and void. The fee therefor shall be the annual amount of twelve dollars ($12) which fee shall be prorated at the rate of one dollar ($1) per month or part thereof between the date of issuance and the next ensuing 30th day of June. The fee for a permit issued to a private collector whose sole collection is a location or locations to which the Director has determined that the Disposal Division cannot give adequate collection service, shall be one dollar ($1) per annum. The permit shall be renewable and application for renewal shall be made upon the form prescribed in subsection (b) above and shall be made by the 30th day of June, each year.

In the event of the non-exercise of either a private garbage collection permit or a location permit, any fee paid therefor shall not be refunded. No permit shall be issued until the applicable permit fee shall first have been paid to the Department of Finance. (Subsec. Am. Ord. 6562, 1965).

(f) **Condition on Permit.** Upon the issuing of a permit the Director may impose conditions thereon reasonably calculated to eliminate excessive noise, scattering of dust and dirt, scattered materials, and similar nuisances, and to prevent obstruction of public streets and interference with traffic. Should such problems appear after issuance of a permit, the Director may impose new or additional conditions upon the exercise of the permit by stating the condition in writing and mailing the writing to the private collector at the address given in the application.

(g) **Rules and Regulations.** The Director of Public Works may make rules and regulations for the identification of private garbage collectors and their equipment.

(h) **Records.** Every private garbage collector shall keep such records, receipts, invoices, and other pertinent papers in such form as the Director of Public Works may require. All such records shall be retained by the private collector for a period of one year after they come into being.

(i) **Suspension or Revocation of Permit.**

(1) No vested right or property interest is acquired by a permit issued to any person under the terms of this section; but the permit may be suspended or revoked as hereinafter provided.

(2) Any permit granted under the provisions of this section may be suspended or revoked by the Director when it shall appear:

(i) That any of the conditions thereof is being violated;

(ii) That the permit is being exercised in violation of this Code or any ordinance or statute;

(iii) That the fact which supported the determination of the Director under the terms of Section 9-407 no longer exists, provided that in such case thirty days' notice of suspension or revocation shall be given in addition to any other notice period provided for herein;

(iv) That the permit is being used for a purpose detrimental to public morals, peace, or order, or is being used for a purpose foreign to that for which the permit was issued;

(v) That the application contained falsehoods;

(vi) That any fact or condition exists which, if it had existed at the time of the original application for such permit, reasonably would have warranted the Director in refusing originally to issue such permit.

(3) Ten days' written notice of revocation shall be given. Unless an appeal to the Chief Administrative Officer is filed within the ten day period, the revocation shall be final.

(4) Ten days' written notice of suspension shall be given. The suspension shall be final and the collector may not exercise the permit during the suspension period unless an appeal to the Chief Administrative Officer is filed within the ten day period or requirements specified by the Director to end the suspension period are met.

(j) Within ten days after written notice of any decision of the Director of Public Works made under the provisions of this section, any person aggrieved thereby may appeal the decision to the Chief Administrative Officer. The appeal must be in duplicate and in writing addressed to the Chief Administrative Officer and must include a copy of the Director's written decision, the reasons for the appellant's objections thereto and the facts upon which he bases his reasons.

The Chief Administrative Officer shall have power and it shall be his duty to hear and determine appeals of decisions of the Director of Public Works made under the provisions of this section. Upon receipt of an appeal the Chief Administrative Officer shall set the matter for hearing not less than ten nor more than thirty days thereafter, shall deliver a copy of the appeal to the Director of Public Works and give written notice of the time and place fixed for the hearing to the appellant and the Director of Public Works. The Chief Administrative Officer may affirm, modify or reverse such decisions and any orders or conditions of permits issued upon such decision, or dismiss the appeals therefrom, as may be just.

Hearings before the Chief Administrative Officer shall be conducted informally, may be continued, and the Chief Administrative Officer shall render his decision within fifteen days after the close thereof. The decision of the Chief Administrative Officer shall be final. (Orig. Ord. 3593 and 4197; Am. Ord. 5311, 1958; Am. Ord. 6442, 1964; Am. Ord. 6562, 1965.)

SECTION 9-409. GARBAGE COLLECTION PROHIBITED. No person shall gather, collect, transport, burn, bury, or dispose of any garbage, mixed garbage, residential rubbish, or any kind of refuse, trash, waste or rubbish whatever from any place where the same is placed by the occupant or operator of any premises within the City or shall remove the contents of any garbage or refuse receptacle, except that such materials may be collected by a private collector to whom permits have been issued pursuant to Sections 9-407 and 9-408 and except that this section does not apply to the collection of waste construction materials discarded from the site of any new building construction or building repair. (Orig. Ord. 3953; Am. Ord. 6442, 1964).

SECTION 9-410. DISPOSAL OF WASTE MATTER. No person shall throw or deposit, or cause to be thrown or deposited, any waste matter other than building materials for which a permit has been granted, except in the manner in this article prescribed, in or upon any vacant lot, street, alley, gutter, highway, park or other public place or keep any garbage, mixed garbage or rubbish or waste matter except in the manner in this article prescribed. (Orig. Ord. 3914.)

SECTION 9-411. FINANCIAL PROCEDURES. All billing for and collection of waste disposal charges shall be handled as provided in this article and in Article 11 of Chapter 2 of this Code. (Rep. and Added Ord. 70-3, 1970).

SECTION 9-412. BURYING GARBAGE PROHIBITED. No person shall bury any waste, table scraps, or leavings, food waste, food containers or wrappers, or animal bodies or parts. (Added Ord. 68-24, 1968).

**SECTION 9-413.** (Added Ord. 5766, 1960; Repealed Ord. 67-107, 1967.)

**SECTION 9-414.** (Added Ord. 5766, 1960; Repealed Ord. 67-107, 1967.)

BILL NO. B-30

INTRODUCED BY COUNCILMAN BELL

ORDINANCE NO. 73-52

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, ADDING ARTICLE 5 TO CHAPTER 12 OF THE FRESNO MUNICIPAL CODE RELATING TO ENVIRONMENTAL QUALITY

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Article 5 is added to Chapter 12 of the Fresno Municipal Code to read:

## ARTICLE 5

## ENVIRONMENTAL QUALITY

Section 12-501. Title.
12-502. Purpose.
12-503. Definitions.
12-504. General Rule.
12-505. Environmental Assessment.
12-506. Findings.
12-507. Appeal of Findings.
12-508. Applicant Determination.
12-509. Preparation of EIR.
12-510. Processing of EIR.
12-511. Exemptions.
12-512. Director Classification.
12-513. Appeal.
12-514. Federal Projects.
12-515. Fees.

SECTION 12-501. TITLE. This article shall be known as the "Environmental Quality Ordinance of the City of Fresno."

SECTION 12-502. PURPOSE. The purpose of this article is to set forth principles, objectives, criteria, and rules to be used in the implementation of the State Environmental Quality Act of 1970, to insure the orderly evaluation of projects, the thorough preparation of environmental impact reports, and the preservation and conservation of the environment in the city.

SECTION 12-503. DEFINITIONS.

(a) Unless the particular provision or context otherwise requires, the definitions contained in this section shall govern the construction, meaning and application of words and phrases used in this article, and,

Passed

Effective APR 5 1973

except to the extent that a particular word or phrase is otherwise specifically defined in this section, the definitions and provisions contained in Article 3 of Chapter 1 of this Code, and in Article 4 of the Guidelines, shall also govern this construction, meaning and application of words and phrases used in this article. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derivative from it or from which it is a derivative, as the case may be.

(b) "Applicant" means the person applying for a contract, grant, subsidy, loan, lease, permit, license, certificate, or other entitlement for use from the city for a private project, or the city office, department, division or agency proposing to initiate or carry out any public project. Where more than one city office, department, division or agency is involved with the initiation, completion, approval or regulation of the same public project, the Chief Administrative Officer of the city shall designate the city office, department, division or agency which shall serve as the applicant based upon the capacity and ability of the respective agencies to adequately fulfill the requirements of the CEQA, the Guidelines, and this article.

(c) "Approval" means the decision by a decision making authority which commits the city or any agency thereof to a definite course of action in regard to a public project. Approval occurs in connection with a private project upon the earliest commitment to issue or the issuance by the decision-making authority of a discretionary contract, grant, subsidy, loan, lease, permit, license, certificate or entitlement for use.

(d) "CEQA" means the California Environmental Quality Act of 1970, as published in the State Public Resources Code beginning at Section 21000 or as hereafter amended.

(e) "Commission" means the Planning Commission of the city.

(f) "Decision-making authority" means the city department, division, office or body which is empowered by this Code, other ordinance, resolution or law with the authority to approve a public project or to issue or approve a contract, grant, subsidy, loan, lease, permit, license, certificate or other entitlement for use pertaining to a private project.

(g) "Director" means the Planning and Inspection Director of the city, or such person as he may designate to perform the duties reposed in the Director by this article.

(h) "Emergency" means a sudden and catastrophic calamity caused by an occurrence or combination of occurrences of statewide or local impact, such as fire, flood, earthquake or other natural disaster, riot, war, accident, or sabotage.

(i) "Environmental Impact Report" (EIR) means a detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the CEQA.

(1) Draft EIR means an EIR containing the information specified in Section 15141, 15142, and 15143 of the Guidelines.

(2) Final EIR means an EIR containing the information specified in Section 15146 of the Guidelines, together with the conclusions and recommendations of the Director as required by this article.

(j) "Guidelines" means the Guidelines for Implementation of the CEQA, as published in Division 6, Title 14 of the California Administrative Code or as hereafter amended.

(k) "Negative Declaration" means a statement that a project, although not categorically exempt, would not have a significant effect on the environment and therefore does not require an EIR. The contents of this declaration shall be as specified in Section 15083 of the Guidelines.

(l) "Notice of Completion" means a brief report filed with the State Secretary for Resources as soon as the applicant has completed a draft EIR and is prepared to send out copies for review. The contents of this notice shall be as specified in Section 15085 (c) of the Guidelines.

(m) "Notice of Determination" means a notice to be filed by the decision-making authority when it approves or determines to carry out a project which is subject to the requirements of CEQA. The contents of this report shall be as specified in Section 15085 (g) of the Guidelines.

(n) "Project" means the whole of an action, resulting in physical impact on the environment, directly or ultimately, that is any of the following:

(1) an activity directly undertaken by any public agency, including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption of General or Specific Plans or elements thereof.

(2) an activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

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(3) an activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

(o) "Significant Effect" means a substantial adverse impact on the environment determined in accordance with Sections 15081 and 15082 of the Guidelines.

SECTION 12-504. GENERAL RULE. An environmental impact report must be prepared prior to the approval by the city of any discretionary project which may have a significant effect on the environment. Where it can be seen with certainty that the activity in question involves only ministerial action by the city, that it will not have a significant effect on the environment, or that it is within one of the classes of emergency projects delineated in Section 15071 of the Guidelines, it is exempt from the operation of this article and may be processed or carried out without reference hereto.

SECTION 12-505. ENVIRONMENTAL ASSESSMENT. Except as provided in Section 12-504 of this article, any applicant seeking to undertake a public project which may have a significant effect on the environment, or a private activity requiring a lease, permit, license, certificate for use from the city, shall first prepare and submit to the Director on a form furnished by the city, an environmental assessment of the proposed activity or project. Such assessment shall include the following information:

(a) Description of the activity.

(b) Location of the activity.

(c) Preliminary plans and drawings, if available.

(d) A proposed finding that the proposed activity does or does not require the preparation of an EIR and the reasons for such finding.

(e) Such additional data as the Director reasonably deems necessary to properly evaluate the impact of the proposed activity on the environment, giving due consideration to the criteria contained in Sections 15081 and 15082 of the Guidelines.

SECTION 12-506. FINDINGS.

(a) The Director shall review the environmental assessment, together with any plans or attachments thereto, to determine whether the proposed activity constitutes a discretionary project which may have a significant effect on the environment. As an aid in making such determination, the Director may solicit the advice and recommendations of any city department and other public agency that could be affected by the proposed activity, and of private persons or organizations which may have an interest in the environmental impact of the proposed activity. The Director shall also be guided by the purposes, policies, rules, regulations, and standards set forth in the CEQA, the Guidelines, this article, and the adopted plans and policies of the city.

(b) The Director shall, within ten working days following his receipt of the environmental assessment, mail or otherwise provide to the applicant one of the following:

(1) A written finding that no Environmental Impact Report (EIR) is required because:

(i) the proposed activity does not constitute a project;

(ii) the proposed project is ministerial;

(iii) the proposed project will not have a significant effect on the environment;

(iv) the proposed project constitutes an emergency;

(v) the proposed project is part of a phased project or a group of projects for which an EIR has previously been submitted and approved in accordance with this article and there are no substantial changes in the proposed project or the circumstances surrounding such project which involve new environmental impacts not considered in the original EIR; or

(vi) the environmental effects of the proposed project are similar enough to warrant the same treatment as those addressed in another project for which an EIR has previously been submitted and approved in accordance with this article.

(2) A written finding that an EIR is required, together with the reasons for such conclusion.

(3) A written finding that the assessment is insufficient to enable him to determine whether an EIR shall be required, together with a list of the deficiencies in the assessment as submitted.

(c) In those cases covered by subsection (b) (1) (iii) of this section, the Director shall, within two working days of the mailing or delivery of his findings to the applicant, file with the Clerk of the County a negative declaration containing the nature and description of the project and a finding that it will have no significant effect on the environment. In all other cases, a notice containing the nature and description of the proposed project and a copy of the Director's findings relative thereto shall be filed within the same time period in the office of the City Clerk.

SECTION 12-507. APPEAL OF FINDINGS.

(a) Within fifteen calendar days after the filing of the Director's findings in accordance with Section 12-506 (c), any interested person may appeal any such finding to the Commission in accordance with Section 12-513 of this article.

(b) A notice of the decision of the Commission shall be filed in accordance with Section 12-506 (c) of this article in addition to the notice required by Section 12-506 (c).

SECTION 12-508. APPLICANT DETERMINATION. Notwithstanding Sections 12-501 through 12-507 of this article, any applicant may determine that his proposed activity constitutes a project which may have a significant effect on the environment without submitting an environment assessment, and proceed as if the Director has made such a finding.

SECTION 12-509. PREPARATION OF EIR.

(a) Any applicant proposing to carry out an activity which has been determined pursuant to this article to require the preparation of an EIR, shall prepare a draft EIR.

(1) The draft EIR for private projects shall be submitted to the Director in ten copies simultaneously with the plans, permit application, tentative subdivision map, or other form of request for a contract, loan, grant, lease, permit, license, certificate, or other entitlement pertaining to the project.

(2) The draft EIR for public projects shall be submitted in ten copies to the Director.

(b) In no event shall an individual who is involved in the design or construction of the project also be responsible for the preparation of an EIR related to that project.

## SECTION 12-510. PROCESSING OF EIR.

(a) Upon receipt or completion of the draft EIR, the Director shall review same to determine whether it satisfies the intent, standards and criteria of the CEQA, the Guidelines, and this article. In the event the Director determines that such intent, standards and criteria are not satisfied, he shall return the draft EIR to the applicant with a written list of the discrepancies which must be resolved or the additional tests, data or information which must be supplied to bring the draft EIR into compliance therewith, giving due consideration to the criteria contained in Sections 15141, 15142, and 15143 of the Guidelines.

(b) The applicant may appeal such determination in accordance with Section 12-513 of this article.

(c) Upon receipt or completion of a draft EIR which is deemed by the Director or the Commission to comply with the intent, standards and criteria specified in subsection (a) of this section, the Director shall do the following:

(1) The Director shall furnish or make available copies of the draft EIR to all other city departments and public agencies which have jurisdiction by law to regulate or approve all or any part of the project, together with a request for their comments on the environmental effects of such project. The Director may also make copies of the draft EIR available to, and request comments on the environmental effects of such project from any persons or organizations which have expressed an interest in the environmental impact of the project. All such departments, agencies, persons, and organizations which fail to respond to such request within fifteen calendar days of the date of mailing or

delivery, or by such later date as may be specified in the request, not to exceed sixty calendar days from the date of mailing or delivery, shall be deemed to have no objections to the EIR as submitted. In fixing a return date longer than fifteen calendar days, the Director shall give the consideration to the complexity of the project and the meeting dates of the agencies being asked to respond.

(2) The Director shall provide notice in the following manner to the effect that such draft EIR has been submitted or prepared and is available for examination in the office of the City Clerk, and that public comment thereon may be submitted to the Director within fifteen calendar days of the date such notice is published or mailed, whichever occurs later:

(i) By publication once in a newspaper of general circulation in the city.

(ii) By mailing in accordance with Section 12-401-C-2 of this Code, and

(iii) By mailing to the Chairman of each Planned Variations Neighborhood Council.

(3) The Director shall schedule and hold a public hearing utilizing the procedural rules specified in Section 12-401-D of this Code whenever the Director determines that such hearing would facilitate the purposes of the CEQA. The Director shall present the draft EIR at such hearing and record or summarize the public comment presented thereat.

(4) The Director shall file a notice of completion with the Secretary of the Resources Agency of the State.

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(d) Within ten working days of:

(1) the date of filing with the Director of a draft EIR which is deemed acceptable under subsection (a) of this section,

(2) the expiration date for comments from other departments or public agencies, or

(3) the date of the public hearing, if any;

whichever is the latest, the Director shall prepare a final EIR consisting of:

(1) the draft EIR,

(2) a copy of all written comments received in the review and consultation process described above,

(3) a verbatim or summarized record of all testimony given at the public hearing, if any,

(4) the Director's response to any negative comments contained in the attachments required by (2) and (3) next above, explaining why he agrees or disagrees therewith, and

(5) the Director's conclusion regarding the environmental effects of the proposed project and his recommendation for or against the proposed project.

(e) The final EIR shall thereupon be processed with the permit application, subdivision map, or other form of request for approval of the project, in accordance with the procedures prescribed therefor by this Code or other ordinance, resolution, or law, and shall be presented or made available to the decision-making authority for its consideration on or prior to the date fixed for approval or disapproval of the project. The decision-making authority shall review the final EIR, and shall consider the contents thereof when making a decision to approve or disapprove the project.

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(f) After making a decision on the project, the decision-making authority shall file a notice of determination with the Clerk of the County and the City Clerk.

SECTION 12-511. EXEMPTIONS.

(a) The following city licenses, permits, approvals, entitlements or actions, and all other licenses, permits, approvals, entitlements or actions heretofore or hereafter required, authorized, or undertaken by the city and deemed by the Director pursuant to Section 12-512 to be similar thereto shall be deemed to be ministerial for the purposes of this article:

(1) Building permits.

(2) Business licenses.

(3) Banner permits.

(4) Parade permits.

(5) Sound truck permits.

(6) Newsstand permits.

(7) Final subdivision map approvals.

(8) Individual utility service connections.

(9) Bicycle licenses.

(10) Dog licenses.

(b) The following city licenses, permits, approvals, entitlements or actions and all other licenses, permits, approvals, entitlements or actions heretofore or hereafter required, authorized or undertaken by the city and deemed by the Director pursuant to Section 12-512 to be similar thereto shall be deemed to have no significant effect on the environment for the purposes of this article:

(1) House moving permits.

(2) Rooming house, hotel, and motel permits.

(3) Pool or billiard room permits.

(4) Card room permits.

(5) Private patrol permits.

(6) Taxi permits.

(7) Annexations.

(8) Zoning ordinance text amendments.

(9) Minor deviations approved in accordance with Section 12-407 of this Code.

(10) Those permits, approvals, entitlements or actions classified by Article 8 of the Guidelines as categorical exemptions.

## SECTION 12-512. DIRECTOR CLASSIFICATION.

(a) Any interested person may request in writing that the Director classify as exempt any city license, permit, approval, entitlement or action not specifically listed in Section 12-511 but alleged to be similar to those listed within one of the classes contained therein.

(b) The Director may classify any city license, permit, approval, entitlement or action heretofore or hereafter required or authorized by this Code into one of the exemption classifications delineated in Section 12-511, provided he first finds that:

(1) The proposed classification is consistent with the purposes, policies and standards contained in the CEQA, the Guidelines, and this article.

(2) The subject of the classification will have no greater adverse effect on the environment than two or more of the licenses, permits, approvals, entitlements or actions specifically listed within the proposed class, and

(3) The proposed classification will not operate to the detriment of the adopted plans and policies of the city.

(c) The Director shall mail to or otherwise provide the person requesting the exemption classification with a written notice of his decision thereon. A copy of such notice shall be filed with the City Clerk.

(d) Within fifteen calendar days of the mailing or delivery of the Director's decision to the person requesting same or the filing of such notice with the City Clerk, whichever occurs last, any interested person may appeal same to the Commission in accordance with Section 12-513 of this article.

SECTION 12-513. APPEAL. Whenever a right to appeal is granted in this article, the following shall apply:

(a) The appeal shall be in writing and shall state:

(1) The appellant's name and address.

(2) His interest in or relationship to the subject license, permit, approval, entitlement or action.

(3) The decision being appealed.

(4) The specific reason or reasons why such decision should not be upheld.

Any appeal which does not contain the required information shall be rejected.

(b) Upon the filing of an appeal containing the required information, the decision of the Director shall be set aside and the matter set for public hearing before the Commission to be conducted in accordance with Section 12-401-D of this Code. The Secretary shall set the time and place of the hearing, which shall be not more than thirty days following the filing of the appeal. Notice of such hearing shall be published once at least ten days in advance of the date set therefor in a newspaper of general circulation in the city. Copies of such notice shall be mailed or otherwise provided to the appellant and the applicant.

(c) The Commission may continue the hearing from time to time up to a total of thirty days. At the conclusion of the hearing, the Commission may adopt, modify, or reject the decision or findings of the Director. The decision of the Commission shall be final. Failure of the Commission to take such action within the time prescribed shall constitute an adoption and approval of the decision of the Director.

(d) A notice of the decision of the Commission shall be mailed or otherwise provided to the applicant and the appellant.

SECTION 12-514. FEDERAL PROJECTS. Where this article requires the preparation of an EIR by a city agency and an Environmental Impact Statement (EIS) has been or will be prepared for the same project pursuant to the National Environmental Policy Act of 1969, all or part of such statement may be submitted to the Director in lieu of all or any part of a draft EIR required hereby. In the event the Director determines that the EIS complies with all of the requirements of the CEQA, the Guidelines, and this article, including the public and governmental agency review and comment process, he may certify the EIS directly to the decision-making authority for adoption as a final EIR.

SECTION 12-515. FEES. The Council shall adopt by resolution an appropriate fee schedule listing fees which will cover the expense of preparing and processing EIR's, negative declarations, environmental assessments, and related documents. No application for a contract, grant, subsidy, loan, lease, permit, license, certificate, or other entitlement shall be accepted by the city until all fees specified herein have been paid.

SECTION 2. This ordinance is declared to be necessary as an emergency measure for preserving the public peace, health and safety, and shall take effect immediately. The following is a statement of the facts showing its urgency:

The California Environmental Quality Act of 1970 was declared by the California Supreme Court on September 21, 1972, to require the preparation of an Environmental Impact Report prior to the issuance by the city of a lease, permit, license, certificate, or other entitlement for use pertaining to any project which may have a significant effect on the environment. Chapter 1154 of the Statutes of 1972 imposed a moratorium on this requirement until April 5, 1973, to enable the state to formulate guidelines and the cities to adopt ordinances implementing the Supreme Court decision. Failure by the city to make such an ordinance effective on or before said date will deprive it of the means to comply with the Environmental Quality Act and will thereby effectively preclude nearly all building and development therein.

## CLERK'S CERTIFICATION

STATE OF CALIFORNIA )
COUNTY OF FRESNO ) ss.
CITY OF FRESNO )

I, JACQUELINE L. RYLE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the ___5th___ day of _____April_______, 1973.

JACQUELINE L. RYLE,
City Clerk

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By_____________________________
Deputy

JAM:cy
4/5/73

# APPENDIX B

## Chapter 3 of the County of Fresno Code

SECTION 450. DEFINITIONS. The following words, terms and phrases, when used in this chapter, have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning.

(a) 'Garbage' means organic refuse of animal, fish, fruit or vegetable origin including but not limited to household, commercial and industrial food waste or such other organic refuse which may propogate flies, insects or create offensive odors.

(b) 'Rubbish' means combustible materials including but not limited to boxes, barrels, wood, tree branches, yard trimmings, wood furniture and bedding, and non-combustible materials including but not limited to metals, tin cans, metal furniture, dirt, glass, crockery and minerals; that such rubbush shall not include bulk refuse as hereinafter defined.

(c) 'Bulk Refuse' means demolition waste or construction waste (including but not limited to lumber, pipes, brick, masonry, concrete, cement), tree stumps, abandoned vehicles and parts thereof, and like items.

(d) 'Disposal Sites' means any premises maintained for the purpose of disposal of garbage, rubbish or bulk refuse where such materials are imported to the disposal site.

(e) 'Dangerous Materials' means any material either combustible or non-combustible, which is poisonous, including insecticides, weedicides or fungicides, or any substance with an active agent which is injurious to plant or animal life.

(f) 'Sanitary Land Fill' means the depositing of garbage, rubbish or bulk refuse in a natural or man-made depression or trench, compacting it to the smallest practical volume and covering it with compacted earth in a systematic and sanitary manner.

'f' added by Ord. 503-A-1
Adopted July 25, 1967

SECTION 451. PERMIT FOR TRANSPORTING GARBAGE AND RUBBISH OR MAINTAINING DISPOSAL SITE. It shall be unlawful for any person without first having obtained a written permit from the Health Officer to:

(a) Engage in the business of transporting over any public thoroughfare within the unincorporated area of the County of Fresno, any garbage, rubbish or bulk refuse.

(b) Establish or maintain a disposal site.

Amended by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 451.1. APPLICATION FOR PERMIT. Upon application made to Health Officer upon the forms prescribed by him for the permit required under Section 451 of this Chapter, the Health Officer shall make a full investigation of the proposal, and if he finds that the proposal is such that there will not be maintained or created a hazard to public health, or a public nuisance, he shall issue a permit therefor and may as terms thereof impose any conditions and restrictions not inconsistent with the terms of any Conditional Use Permit under the Zoning Ordinance as in his opinion may be reasonably necessary to prevent the maintenance or creation of a hazard to public health or a public nuisance and may from time to time modify such conditions and restrictions as the public health and welfare may require.

All permits required herein shall expire one year after their issuance unless revoked within said period and it shall be unlawful for a person thereafter to continue to engage in the activities set forth under Section 451 of this Chapter unless a new permit is issued by the Health Officer as provided herein.

All permits issued prior to the effective date of this Section, as amended, and not revoked, shall be deemed to be approved and shall expire one year from the date of their issuance; that said permits are subject to modification as provided herein and are further subject to the Disposal Site standards set forth in Section 451.2 of this Chapter.

Amended by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 451.2. MAINTENANCE OF DISPOSAL SITES. It shall be unlawful for any person to operate and maintain a disposal site without conforming to the following standards:

(a) All garbage, rubbish and bulk refuse shall be disposed in all areas by the sanitary land fill method and pursuant to an operational plan for refuse disposal approved by the Health Officer including therein fire control measures and salvage disposal procedures. All earth coverings shall be applied in an amount and at such time as is deemed reasonably necessary by the Health Officer except as hereinafter expressly provided to prevent the maintenance or the creation of a hazard to the public health or a public nuisance. All garbage, or rubbish or bulk refuse mixed with garbage, shall be covered at the close of each days operation except that cull fruits and vegetables delivered to the disposal site after the daily operation is closed shall be covered prior to reopening the disposal site the following day. Where the disposal operation is seasonal, the Health Officer may approve other methods of refuse disposal determined in the manner provided in Section 451.1 of this Chapter.

(b) The boundary of all disposal areas shall be adequately fenced with a material which shall not be less than six feet (6') in height to prevent rubbish from scattering, to prohibit unsupervised use, and to screen the disposal operation, except all visable disposal areas within three hundred feet (300') of a public road, shall be screened with a solid redwood fence or screened with vegetative material, approved by the Health Officer, which is drought resistant and will grow to a height in excess of six feet (6') within a two year period.

(c) All roads within the disposal sites shall be passable during all periods of use by the public and shall be treated and maintained with road oil.

(d) Appropriate signs shall be posted at the entrance of a disposal site clearly setting forth the hours and days of its operation, fees to be charged and types of materials accepted.

(e) All driveway approaches to the County highway shall be constructed to Fresno County standards.

(f) The site shall be supervised by an attendant during all times the site is open for public use.

(g) No incineration shall be permitted.

(h) All dangerous materials, their containers or other commercial chemical preparations shall be disposed in a manner approved by the Health Officer.

'g' & 'h' added by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 451.3. DISPOSAL OF WASTE TIRES AND REQUIRED REPORT. All waste tires as defined in Section 643 of this code received at a disposal site shall be incorporated into the ongoing land fill at the same frequency and in the same manner as other designated Class II waste, or in lieu thereof, said tires may be kept or stored aboveground provided that they are screened in such a manner as to preclude their being seen from any roadway or adjacent property; so stored as to preclude the entry of any water from any source therein, or be ground or cut to a degree which would accomplish the same objective and stored in such manner as to comply with any required rodent control program. The operator of a disposal site at which waste tires are received shall, in addition to any other record, keep a record of all tires received and make a weekly report thereof to the Health Officer including the number of tires received, the date thereof, the manner of disposal, and the name and license number, if any, of the collector or other person from whom such tires are received.

Added by Ord. 503-A-5,
Adopted Feb. 22, 1972.

SECTION 452. PRIVATE STORAGE OF GARBAGE. It shall be unlawful to store or keep garbage upon property where it is propogating flies, insects or creates offensive odors.

Amended by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 453. STORAGE OF GARBAGE IN URBAN AREAS. It shall be unlawful to store, deposit or keep garbage upon property having a lot area of less than 36,000 square feet for a period in excess of one week where public collection services are available.

Amended by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 454. UNLAWFUL TO ENGAGE IN BUSINESS WITHOUT DISPOSAL SITE. It shall be unlawful for any person to engage in the business of collecting, transporting or disposing of garbage for compensation without at the time of commencing such business and at all times during the conducting thereof being either the owner or lessee of a duly established and lawfully maintained disposal site or having a firm, written contract with such owner or lessee of such a site giving the right to dispose of such garbage thereof for a fixed or determinable period or dispose at a county dump upon paying the established fee therefor. No permit for transporting garbage pursuant to Section 451 of this chapter shall be issued without proof of compliance with this section.

(Added by Ord. No. 503-A-3,
Adopted Aug. 20, 1968)

SECTION 455. ENFORCEMENT OF THIS CHAPTER. The Health Officer or his authorized representatives in so far as may be necessary for the performance of their duties shall, upon the presentation of proper credentials at any reasonable time, have the right to enter the premises for the purpose of inspecting the premises or while performing any other act in pursuance of their duties hereunder.

Amended by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 456. TRANSFERS; REVOCATIONS. No permit obtained pursuant to the provisions of this Chapter is transferable. Such permit may be revoked upon written notice mailed to the address shown on the applicant's application when the Health Officer determines that any of the terms and conditions of this Chapter or any permit issued hereunder have not been met.

Amended by Ord. 503-A-1
Adopted July 25, 1967.

SECTION 457. OPEN AIR BURNING PROHIBITED.

Ord. No. 503-A-2, Adopted August 1, 1967, Repealed by Ord. No. 503-R-4, Adopted January 13, 1970.

SECTION 457.1. PERMIT FOR SINGLE OCCASION BURNING.

Ord. No. 503-A-2, Adopted August 1, 1967, Repealed by Ord. No. 503-R-4, Adopted January 13, 1970.

# APPENDIX C

## Employer-Employee Relations, Article 19, Chapter 2 of City of Fresno Municipal Code

## ARTICLE 19

# EMPLOYER-EMPLOYEE RELATIONS

Section 2-1901. Title of Article.
2-1902. Statement of Purpose.
2-1903. Definitions.
2-1904. Employee Rights.
2-1905. City Rights.
2-1906. Meet and Confer in Good Faith. Scope.
2-1907. Consultation in Good Faith. Scope.
2-1908. Advance Notice.
2-1909. Appropriate Unit.
2-1910. Petition for Formal Recognition.
2-1911. Elections. Formal Recognition.
2-1912. Revocation of Representation.
2-1913. Modification of Established Appropriate Unit.
2-1914. Designation of City Representative.
2-1915. Unfair Employee Relations Practices.
2-1916. Resolution of Impasses.
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2-1918. Memorandum of Understanding.
2-1919. Dues Check-Off.
2-1920. Reasonable Time Off to Meet and Confer.
2-1921. Access to Work Locations.
2-1922. Availability of Data.
2-1923. Prohibition of Strike or Work Stoppage.
2-1924. Construction of Article.
2-1925. Rules and Regulations.

SECTION 2-1901. TITLE OF ARTICLE. This article shall be known as the Employer-Employee Relations Ordinance of the City of Fresno. (Added Ord. 72-1, 1972).

SECTION 2-1902. STATEMENT OF PURPOSE.

(a) The purpose of this article is to implement Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500, et seq.) by providing orderly procedures for the administration of employer-employee relations between the city and its employee organizations and for resolving disputes regarding wages, hours, and other terms and conditions of employment.

(b) Nothing contained herein shall be deemed to supersede other provisions of the Fresno Municipal Code. This article is intended, instead, to strengthen the civil service system by providing a method of administering employer-employee relations through the establishment of uniform and orderly methods of communication between organized city employees and the city. (Added Ord. 72-1, 1972).

SECTION 2-1903. DEFINITIONS.

(a) Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases used in this article, and, except to the extent that a particular word or phrase is otherwise specifically defined in this section, the definitions and provisions contained in Article 3 of Chapter 1, of this Code shall also govern the construction, meaning, and application of words and phrases used in this article unless the particular provisions or the context otherwise requires. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derivative from it, or from which it is a derivative, as the case may be.

(b) "Approprate unit" means a group of classes of positions in the city service designated as a unit to be represented by a recognized employee organization in meeting and conferring on matters within the scope of representation.

(c) "City" means the City of Fresno, a municipal corporation, and where appropriate herein, "City" refers to the Council or any duly authorized executive management employee as herein defined.

(d) "Confidential employee" means an employee who is privy to decisions of city management affecting employer-employee relations.

(e) "Consult" or "consultation in good faith" means to communicate orally or in writing for the purpose of presenting and obtaining views and advising of intended actions.

(f) "Director" means Director of Personnel and Labor Relations of the city, or such other person as the Council may designate pursuant to Section 2-1914.

(g) "Employee" means any person holding a permanent position, as defined in Section 2-1601.

(h) "Employer-employee relations" means the relationship between the city and its employees and their employee organizations.

(i) "Employee organization" means any organization or joint council of two or more organizations, or its duly authorized representative, which includes employees of the city and, as one of its primary purposes, represents such employees in their employment relations with the city.

(j) "Executive management employee" means any employee having significant responsibilities for formulating and administering city policies and programs, including, but not limited to, the Chief Administrative Officer, department heads, and such of their principal subordinates as are so designated by the Director based upon recommendation of the Chief Administrative Officer or department head concerned.

(k) "Fact finding" means the identification of the major issues in a particular dispute, a review of the position of the parties, and the making of findings of fact on the issues in dispute, without recommendation (other than the finding of mitigating facts under subsection (d) of Section 2-1915), unless requested, in writing by all parties to the dispute, to make recommendations. A fact finder is an impartial person or a three-member panel skilled in matters of employer-employee relations, selected by mutual agreement of the affected parties.

(l) "Formal recognition" means the right of a formally recognized employee organization or a joint council, which has shown, pursuant to Sections 2-1910 and 2-1911, that it represents a majority of employees in an appropriate unit, to meet and confer in good faith as the formally recognized representative of employees in an appropriate unit.

(m) "Impasse" means:

(1) a deadlock in the annual meet and confer process between a formally recognized representative and the city over any matters concerning which they are required to meet and confer in good faith, or over the scope of such subject matter; or

(2) any unresolved complaint by an affected employee organization, advanced in good faith, concerning a decision of the Director made pursuant to Section 2-1910 or 2-1911.

(n) "Joint Council" means two or more employee organizations which have joined together for the purpose of seeking or exercising representation rights for an apropriate unit.

(o) "A majority" or "the majority" means "at least fifty percent plus one."

(p) "Management employee" means an executive management employee or a supervisory management employee.

(q) "Mediation" or "conciliation" means the efforts of an impartial third person or persons, functioning in the capacity of intermediary, to assist the parties in reaching a voluntary resolution of an impasse, through interpretation, suggestion, and advice. "Mediation" and "conciliation" are interchangeable terms.

(r) "Meet and confer in good faith" (sometimes referred to herein as "meet and confer" or "meeting and conferring") means the performance, by the Director or his duly authorized representative, and by the duly authorized representative of a formally recognized employee organization of their mutual obligation to meet at reasonable times and to confer in good faith regarding matters within the scope of representation in an effort to

(1) reach agreement on those matters within the authority of such representatives, and

(2) reach agreement on what will be recommended to the Council on those matters within the decision-making authority of the Council.

"Meet and confer in good faith" does not require either party to agree to a proposal or to make a concession.

(s) "Peace officer" means a peace officer as defined in Section 830 of the California Penal Code, except that, for the purposes of this article only, "peace officer" does not mean a park patrolman or a member of the fire department, whether the latter be serving as a member of an arson-investigating unit, as a deputy or assistant state fire marshal, or in any capacity wherein the member would have the status of peace officer for purposes other than that of this article.

(t) "Professional employee" means employees engaged in work requiring specialized knowledge and skills attained through completion of a recognized course of instruction, including, but not limited to, attorneys, physicians, registered nurses, engineers, architects, teachers, and various types of physical, chemical, and biological scientists.

(u) "Public safety service" means every employee who is a "fireman" or "policeman" as defined in Section 2-1701 (22) and (23).

(v) "Recognized employee organization" means an employee organization which has been granted formal recognition by the Director pursuant to Sections 2-1910 and 2-1911 or its duly authorized representative.

(w) "Scope of representation" means all matters relating to employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment. Employee rights, as set forth in Section 2-1904, and city rights as set forth in Section 2-1905(a), are excluded from the scope of representation.

(x) "Supervisory management employee" means any employee having authority to effectively recommend the transfer, suspension, lay-off, recall, promotion, discharge, assignment, adjustment of grievances, or discipline of other employees, or having the responsibility to direct them if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. In order to differentiate leadmen from supervisory management employees, the allocation of classes to supervisory management categories for the purpose of assignment to supervisory management employee representation units shall be contingent on meeting both of the following minimum criteria:

(1) Employees in the class should perform a variety of the supervisory tasks listed above, but these tasks must include.

(i) assigning work to subordinate employees.

(ii) reviewing the work of subordinate employees.

(iii) evaluating the performance of subordinates, when required under any program of employee performance evaluation, and

(iv) the authority to effectively recommend the adjustment of grievances.

(2) No class shall be allocated to a supervisory management category unless the job duties of a majority of the positions therein

(i) require the incumbent to spend a minimum of twenty percent of his time engaged in performing the supervisory duties listed in (1),

(ii) include the supervision regularly of at least three subordinate employees, and

(iii) are such that the incumbent does not engage in work similar to that of his subordinates more than forty percent of his time. (Added Ord. 72-1, 1972).

SECTION 2-1904. EMPLOYEE RIGHTS. Employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment. Employees shall have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the city. No employees shall be interfered with, intimidated, restrained, coerced, or discriminated against by the city or by an employee or an employee organization because of his exercise of any of these rights. No management employee or confidential employee shall act as a representative of any employee organization which represents employees other than managment employees or confidential employees. (Added Ord. 72-1, 1972).

SECTION 2-1905. CITY RIGHTS.

(a) The exclusive rights of the city include, but are not limited to, the right to

(1) determine the mission of its constituent departments, divisions, commissions, and boards;

(2) set standards of service and municipal fees and charges;

(3) determine the procedures and standards of selection for employment, assignment, transfer, and promotion;

(4) direct its employees;

(5) take disciplinary action;

(6) relieve its employees from duty because of lack of work or for other legitimate reasons;

(7) maintain the efficiency of governmental operations;

(8) determine the methods, means, and personnel by which government operations are to be conducted;

(9) ,determine the content of job classifications;

(10) take all necessary actions to carry out its mission in emergencies;

(11) exercise complete control and discretion over its organization and the technology of performing its work.

(b) All rights formerly or presently claimed by or vested in the city on the effective date of this article and not mentioned in subsection (a) are retained by the city unless explicitly waived by the city by resolution of the Council or by Council-approved memorandum of understanding. (Added Ord. 72-1, 1972).

SECTION 2-1906. MEET AND CONFER IN GOOD FAITH. SCOPE.

(a) The city, through the Director, shall meet and confer in good faith with representatives of employee organizations and joint councils, having formal recognition, regarding matters within the scope of representation within the appropriate unit.

(b) The city shall not be required to meet and confer in good faith on any subject preempted by federal or state law or by the Charter, nor on employee rights or city rights as described in Section 2-1904 or subsection (a) of Section 2-1905. Proposed amendments to this article are excluded from the requirement to meet and confer. (Added Ord. 72-1, 1972).

SECTION 2-1907. CONSULTATION IN GOOD FAITH. SCOPE. All matters affecting employer-employee relations, including those that are not subject to meeting and conferring, are subject to consultation. The city, through the Director, shall consult in good faith with any employee or his representative on employer-employee relations matters which affect the employee. (Added Ord. 72-1, 1972).

### SECTION 2-1908. ADVANCE NOTICE.

(a) Except as provided in subsection (b) of this section, advance written notice shall be given by the Director to each recognized employee organization affected by any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation and proposed to be adopted by the Director, by the Council, or by any board or commission of the city, and each such organization shall be given the opportunity to consult with the Director prior to such adoption.

(b) In cases of emergency when the Director or the Council or any board or commission of the city adopts immediately an ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation without prior notice or consultation with a recognized employee organizaion, the Director shall provide such notice and opportunity to consult at an early practicable time following the adoption of such ordinance, rule, resolution, or regulation. (Added Ord. 72-1, 1972).

### SECTION 2-1909. APPROPRIATE UNIT.

(a) The Director may, and after review of a petition filed by an employee organization seeking recognition pursuant to Section 2-1910 shall, determine the appropriate unit or units. Prior to making such determination he shall consult with any employee organization which has filed such a petition relevant to the determination and any affected or interested employee or employee organization. The consultation shall be for the purpose of the obtaining of employee and organization views on any proposed determination, including effect and operation of criteria stated in this section. The consultation time and place shall be set by the Director; consultation shall be informal and occur after reasonable notice has been given to such employees and organizations.

(b) The principal criterion in determining the appropriate unit shall be that the broadest feasible unit, based upon the internal and occupational community of interest among the employees therein, shall be established. The following factors, among others, are to be considered in making such determination:

(1) which unit will assure employees the fullest freedom in the exercise of rights set forth under this article;

(2) the history of employee relations

(i) in the proposed unit,

(ii) among other employees of the city, and

(iii) in similar public employment;

(3) the effect of the unit on the efficient operation of the city and sound employer-employee relations; and

(4) the extent to which employees have common skills, working conditions, job duties, or educational requirements.

(c) In the determination of the appropriate unit, the Director shall apply the following rules:

(1) Except in the case of confidential employees, a single class of employees shall not be divided among two or more appropriate units:

(2) no unit shall be deemed appropriate solely on the basis of the extent to which employees in the proposed unit have organized,

(3) professional employees shall not be denied the right to be represented separately from nonprofessional employees;

(4) confidential employees shall not be included in the same unit as nonconfidential employees; and

(5) management employees shall not be included in the same unit with nonmanagement employees; provided, however, that an employee classified as a Fire Captain or Police Sergeant may by secret ballot election, pursuant to Section 2-1911, elect to be included in the same unit as nonsupervisory public safety services employees.

(d) Peace officers may form, join, participate in, and be represented by employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations as provided by this article, provided such employee organizations

(1) are composed solely of such peace officers;

(2) concern themselves solely and exclusively with wages, hours, working conditions, welfare programs, and advancement of academic and vocational training in furtherance of the police profession; and

(3) are not subordinate to any other organization which does not conform to (1) and (2). (Added Ord. 72-1, 1972).

## SECTION 2-1910. PETITION FOR FORMAL RECOGNITION.

(a) An employee organization or joint council that seeks formal recognition shall file a petition with the Director, in such form as the Director may prescribe, containing the following information and documentation:

(1) Name and address of the employee organization.

(2) Titles of its officers and names of incumbents therein.

(3) Names and titles of authorized employee organization representatives.

(4) A statement that the employee organization, as one of its primary purposes, represents employees in their employment relations with the city.

(5) Whether the employee organization is a chapter or local of, or affiliated directly or indirectly in any manner with, a regional, state, national or international organization, and, if so, the name and address of each such regional, state, or international organization.

(6) Copies of the employee organization's constitution or articles of incorporation and bylaws, including all amendments thereof, certified as true copies by an officer of the organization.

(7) A designation of the person, and his address, to whom notice will be deemed sufficient notice on the employee organization for any purpose.

(8) A statement that the employee organization recognizes, and has explained to its members, the applicability of Section 2-1923 of this article, and the inapplicability of Section 923 of the California Labor

Code, to city employees.

(9) A statement that the employee organization does not and will not impose any restriction on membership based on race, color, creed, sex, age, or national origin.

(10) A list of all the classes and the number of employees in each class in the unit claimed to be the appropriate unit.

(11) Written proof, as described in subsection (c), each dated by the signer within three months of the date upon which the petition is filed, to establish that a minimum of thirty percent of the employees eligible to vote in the unit claimed to be the appropriate unit have designated the employee organization to represent them in their employment relations with the city. Such written proof shall be furnished by submission with the petition of employee designations in the form required by subsection (c).

(12) A request that the Director grant formal recognition to the employee organization by recognizing it as the representative of the employees in the unit claimed in the petition to be the appropriate unit.

(b) The petition, including all accompanying documents, shall be verified under penalty of perjury by the Executive Officer or Secretary of the employee organization. If the petitioner is a joint council, information required by this section shall be supplied for each employee organization participating in the joint council. The Director may require additional specific information of any matter required to be included in the petition, and may require the periodic updating of all or any portion of the information.

(c) Written proof of the designation of the employee organization to represent any employee shall be made, utilizing substantially the following language and form:

## EMPLOYEE'S DESIGNATION OF EMPLOYEE ORGANIZATION TO REPRESENT THE EMPLOYEE IN THE EMPLOYEE'S RELATIONS WITH THE CITY OF FRESNO

The undersigned, being an employee of the City of Fresno, hereby designates ________________________________________

(Name of Organization)

to represent the undersigned in all matters relating to employment conditions and employer-employee relations.

I understand the above organization will present this to the Director of Personnel and Labor Relations in order to become recognized by the City as my representative; that I am not required to sign this document, and I do so of my own free choice; and that until this designation is revoked by me in writing, I cannot have another organization represent me.

I acknowledge that the above organization has explained to me the applicability of Fresno Municipal Code Section 2-1923 and the inapplicability of California Labor Code Section 923, to City employees.

Employee's Name__________________________________
Class/Job Title____________________________________
Department or Division______________________________
Dated this______day of_________________, 19_____, at Fresno, California.

______________________________
Signature of Employee

(d) No employee shall be represented by more than one recognized employee organization. (Added Ord. 72-1, 1972).

## SECTION 2-1911. ELECTIONS. FORMAL RECOGNITION.

(a) After the appropriate unit has been determined pursuant to Section 2-1909, and after the Director has received a petition filed pursuant to Section 2-1910 with written proof that the petition represents a minimum of thirty percent of the employees eligible to vote in such appropriate unit, the Director shall arrange for a secret ballot election to determine the recognized employee organization for such appropriate unit. The election may be conducted by the State Conciliation Service or by any other independent organization providing election services when such other organization is selected by mutual agreement of the Director and any employee organizations having qualified for the ballot prior to the time arrangement for the election is made.

(b) Not less than thirty days before the date fixed for the closing of the ballot for any election, the Director shall give notice of the election. Such notice shall be headed "Notice of Election to Determine Employee Representative," and shall contain

(1) a description of the appropriate unit or units for which the election will be held;

(2) the date of the election;

(3) the hours during which the polls will be open for voting, provided that the polls shall be open for not less than six hours between 6 a.m. and 7 p.m.;

(4) the date and hour of the closing of the ballot for inclusion of names of employee organizations;

(5) the date and hour on or before which petitions pursuant to Section 2-1910 must be filed with the Director in order to be considered for inclusion of the name of the filing employee organization on the ballot;

(6) the name of each employee organization which, as of the date of notice, has qualified for inclusion on the ballot;

(7) such other information relating to the election as the Director shall deem appropriate.

The notice shall be mailed to each employee organization which has filed with the Director a written request for notice of elections to be held under this section, and shall be posted on such bulletin boards on city premises and given such other publicity as in the judgment of the Director will be most likely to inform the affected employees and employee organiztaions. The applicability of all or any part of this subsection to any election conducted by the State Conciliation Service or other organization shall be as determined by that agency.

(c) Any employee organization shall be entitled to be included on the ballot for any election, provided it shall have,

(1) on or before the time specified in the notice of the election for the last filing of petitions, filed a petition pursuant to Section 2-1910 with written proof that such oragnization represents ten percent of the employees eligible to vote in the appropriate unit within which the election is to be held; and

(2) on or before the time specified in the notice of the election for the closing of the ballot, deposited with the Controller its pro rata share of the Director's estimate of the total cost of the election, together with its written agreement to pay its pro rata share of the actual cost of the election.

The choice of "no organization" shall also be included on the ballot.

(d) All employees shall be eligible to vote who were employed in positions within the appropriate unit on the last day of the pay period immediately prior to the date which is fifteen days before the election, and who are employed by the city in the same appropriate unit on the date of the election. An employee organization shall be granted formal recognition following announcement of the results of an election

(1) if the employee orgaization received the votes of a majority of all the employees eligible to vote in the appropriate unit in which the election is held, or

(2) if at least sixty percent of the total number of employees in the appropriate unit eligible to vote voted in the election, and the employee organization received a majority of all votes cast in the election.

The employee organization so granted formal recognition shall be the only employee organization entitled to meet and confer in good faith as the representative of employees in such appropriate unit on matters within the scope of representation.

(e) When an election involving three or more choices results in none of the choices having received a majority of the votes cast, and at least sixty percent of the total number of employees in the unit eligible to vote voted in the election, a run-off election shall be conducted promptly thereafter between the two choices receiving the largest number of votes cast. The rules governing an initial election shall also apply to a run-off election. There shall be no more than one initial and one run-off election in a twelve-month period within the same unit. The twelve-month period shall commence on the date of the initial election, or, if there is a run-off election, the date of the run-off election.

(f) The cost of the election shall be paid by the employee organizations appearing on the ballot. The cost of the election will be shared on a prorated basis as follows: The votes cast for each employee organization appearing on the ballot will be totaled and equated to one hundred percent of the cost of the election. Each employee organization appearing on the ballot shall pay an amount equal to its percentage of the total votes cast in the election.

(g) The recognition rights of a recognized employee organization designated in accordance with this section shall not be subject to challenge by election for a period of at least twelve months following the date of such recognition. (Added Ord. 72-1, 1972).

## SECTION 2-1912. REVOCATION OF REPRESENTATION.

(a) A petition for revocation alleging that an employee organization granted formal recognition is no longer the representative of a majority of the employees in an appropriate unit may be filed with the Director only during the last two months of any calendar year following the year in which formal recognition was granted. The petition for revocation may be filed by an employee, a group of employees or their representative, or an employee organization. The petition, including all accompanying documents, shall be verified under penalty of perjury by the person signing it that its contents are true. The petition for revocation shall be filed with the Director and shall contain the following:

(1) The name, address, and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information;

(2) The name of the formally recognized employee organization whose recognition is sought to be revoked;

(3) An allegation that the formally recognized employee organization no longer represents a majority of the employees in the appropriate unit; and

(4) The signatures of at least thirty percent of the employees in the unit dated by the signers within three months of the date upon which the petition is filed.

(b) If the Director finds that the petition complies with subsection (a) above he shall, upon receipt of the deposit required by subsection (d), arrange for a secret ballot election which may be conducted by the State Conciliation Service to determine if the formally recognized employee organization shall retain its recognition rights. Formal recognition of such employee organization shall be revoked by the Director if a majority of those voting in such election vote for revocation.

(c) The Director shall fix a date for the election for revocation which shall not be less than thirty nor more than sixty days after the filing of the petition. The Director may consolidate any election for revocation with an election on a petition for formal recognition as majority representative of the same unit, provided the petition for formal recognition is filed at the same time as or within thirty days after the filing of the petition for revocation.

(d) Petitioner shall deposit with the Controller an amount equal to the Director's estimate of the cost of the election, and the total cost of the election shall be paid by the petitioner; provided, however, if the revocation election is consolidated with an election for formal recognition pursuant to subsection (c), the costs of election shall be shared, and deposits made, in accordance with Section 2-1911, subsections (b) and (e).

(e) There shall be no more than one revocation election in the same unit in any twelve-month period. (Added Ord. 72-1, 1972).

SECTION 2-1913. MODIFICATION OF ESTABLISHED APPROPRIATE UNIT. A petition for modification of an established appropriate unit may be filed by an employee organization with the Director during the annual two-month period for filing a petition for revocation. The petition for modification shall contain all of the information set forth in subsection (b) of Section 2-1910, together with a statement of all relevant facts in support of the proposed modified unit. The provisions of Section 2-1910, subsection (b) (11) to the contrary notwithstanding, the petition shall be accompanied by written proof that a majority of the employees within the proposed modified unit have designated the employee organization to represent them in their employment relations with the city. The Director, in accordance with Section 2-1909, shall determine whether the existing appropriate unit shall be modified as proposed in the petition. If the Director determines that the proposed modified unit is a more appropriate unit, then he shall follow the procedures set forth in Section 2-1911 for determining formal recognition rights in such unit. (Added Ord. 72-1, 1972).

SECTION 2-1914. DESIGNATION OF CITY REPRESENTATIVE. The Director is designated as the city's representative in all matters subject to the meet and confer process with authority to consult and to meet and confer in good faith on all matters within the scope of representation; provided that the Council may designate, by resolution, some other person as such representative. (Added Ord. 72-1, 1972).

SECTION 2-1915. UNFAIR EMPLOYEE RELATIONS PRACTICES.

(a) It is an unfair employee relations practice for an employee, employee organization, or an employee representative

(1) to interfere with, restrain, or coerce any employee in the exercise of his rights granted in this article; or

(2) to violate any provision of Section 2-1920 or 2-1921; or

(3) to discriminate against any employee because of race, creed, sex, age, color, or national origin with regard to the terms and conditions of membership in an employee organization; or

(4) to consult with an elective officer or member of a board or commission of the city, other than at a scheduled public meeting of the Council or the board or commission, on matters which have been delegated to the Director pursuant to Section 2-1914 of this article and which are currently the subject of discussions in the meet and confer process.

(5) to fail, or refuse, to cooperate in impasse procedures invoked pursuant to Section 2-1916; or

(6) for a formally recognized employee organization to fail, or refuse, to meet and confer in good faith with the Director at reasonable

times, places, and frequencies on matters within the scope of representation.

(b) It is an unfair employee relations practice for an elective officer or a member of a board or commission of the city, or an executive management employee

(1) to interfere with, restrain, or coerce any employee in the exercise of his rights granted in this article; or

(2) to attempt to dominate or control any employee organization; or

(3) to fail, or refuse, to cooperate in impasse procedures invoked pursuant to Section 2-1916.

(c) It is an unfair employee relations practice for

(1) the Director to refuse to meet and confer in good faith with the representative of a formally recognized employee organization at reasonable times, places, and frequencies, or to consult within a reasonable time after request; or

(2) an elective officer or member of a board or commission of the city to consult with an employee, an employee organization, or an employee representative, other than at a scheduled public meeting of the Council or the board or commission, on matters which have been delegated to the Director pursuant to Section 2-1914 and which are currently the subject of discussion in the meet and confer process.

(d) A charge of an unfair employee relations practice may be filed with the Director by an employee, employee organization representative, an elected official, or a management employee. Such charges shall be processed by the Director who shall with reasonable promptness initiate a fact-finding procedure. The fees and expenses of fact finders incurred pursuant to this section shall be payable as follows: If the unfair employee relations practice charge is found to be true, the party charged shall bear the costs of fact finding. If the charge is found to be not true, the charging party shall bear the costs of fact finding. If the fact finder finds facts mitigating the charged party's conduct, the fact finder shall prorate the costs accordingly. The fact finder's report shall be filed with the City Clerk and shall be a public record. (Added Ord. 72-1, 1972).

## SECTION 2-1916. RESOLUTION OF IMPASSES.

(a) An impasse resulting from the meet and confer process shall be resolved through the use of the impasse resolution procedures prescribed by this section. The impasse resolution procedures may be initiated only after the exhaustion of the possibility of resolution of the impasse through the meet and confer process.

(b) Any party may initiate the impasse resolution procedures sequence.

(c) The impasse resolution procedures and the sequence in which they must be utilized shall be as follows:

(1) Impasse meeting:

(i) The party initiating the impasse resolution procedures sequence shall deliver to the other party or parties involved a written demand for an impasse meeting together with a statement of the initiating party's position on all matters at impasse.

(ii) Immediately after receipt or delivery by the Director of the written demand, the Director shall schedule an impasse meeting. The Director shall give at least 24 hours' written notice of the time and place of such meeting to all other parties involved in the impasse.

(iii) Prior to or at the commencement of such meeting, each party, who received a demand for or written notice of such meeting, shall deliver to each other party a statement of the position of such party on all matters at impasse.

(iv) The purpose of the impasse meeting is to permit a review and clarification of the position of all parties on all matters at impasse in a further effort to reach agreement, and, if agreement is not reached on all matters at impasse, to select a further impasse procedure for the matter or matters remaining at impasse.

(2) Mediation:

(i) Mediation may be initiated only by mutual agreement of the parties at impasse.

(ii) The parties may, by mutual agreement, select only the California State Conciliation Service or Federal Mediation and Conciliation Service to mediate the impasse.

(iii) The mediator shall be presented a position statement of each party on all matters at impasse.

(iv) Mediation proceedings shall be private. Neither the mediator nor party involved in the mediation shall make any public recommendations or take any public position concerning the matters at impasse.

(3) Fact finding:

(i) If agreement is not attained on all matters at impasse after ten days of mediation, any party who was a party in the mediation procedure may demand fact finding.

(ii) If agreement to mutually select the fact finder cannot be attained within five days of receipt of the demand for fact finding, the Civil Service Board shall designate the fact finder.

(iii) Neither the Civil Service Board, nor any member thereof, may be designated as the fact finder.

(iv) Fact-finding proceedings shall be private. Neither the fact finder nor any party involved in the fact finding shall make any public recommendation or take any public position concerning the matters at impasse until after the fact finder's report has been filed with the City Clerk.

(v) The fact finder's report shall contain no recommendations unless requested, in writing by all parties to the impasse, to make recommendations.

(vi) The fact finder's report shall be first delivered to the parties at impasse, within ten days after selection of the fact finder, except such period may be extended by mutual agreement of the parties.

(vii) If an impasse still exists five working days after delivery of the fact finder's report to the parties at impasse, the fact finder's report shall be filed with the City Clerk and shall be public information.

(4) Such other impasse resolution procedures as the parties may agree upon.

(d) The sequence of the impasse resolution procedures specified in subsection (c) hereof may be modified as follows:

(1) If the Director determines, from a review of the position statements of the parties at impasse, delivered pursuant to subsection (c) (1) (i) and (iii) that an impartial investigation and determination of the facts will be likely to expedite an informed equitable resolution of the matter at impasse, the Director may require that such matter at impasse be submitted to fact finding before resort is had to any other impasse procedure.

(2) If the Director declines to agree to mediation on behalf of the city and fails to initiate fact finding under (1), any party to the impasse may require that the matter at impasse be submitted to fact finding before resort is had to any other impasse procedure.

(e) Any fees and expenses of fact finders, mediators, or of any other persons or agencies utilized pursuant to this section in furtherance of the resolution of an impasse shall be paid one-half by the city and one-half by the employee organization or organizations involved in the impasse. (Added Ord. 72-1, 1972).

## SECTION 2-1917. GRIEVANCES.

(a) A grievance is any dispute concerning the interpretation or application of this article, or rules or regulations governing personnel practices or working conditions. A grievance involves the claimed misapplication or misinterpretation of a rule or regulation relating to an existing right or duty; it does not relate to the establishment or abolition of a right or duty.

(b) A grievance must be initiated within fifteen days after the affected employee first knew or should have known of a grievable action or event. If the initiation of the grievance does not occur within said fifteen days, the grievance is void.

(c) Grievances shall be processed in accordance with the grievance procedure established by the Council by resolution. Such grievance procedure may be modified by consultation or meeting and conferring. (Added Ord. 72-1, 1972).

SECTION 2-1918. MEMORANDUM OF UNDERSTANDING. When a meeting and conferring process is concluded between the Director and a formally recognized employee organization, all agreed-upon matters shall be incorporated in a written memorandum or memoranda of understanding signed by the Director and the duly authorized representative. As to those matters within the authority of the Council, the memorandum of understanding signed by the Director and a duly authorized representative shall be submitted to Council for determination. (Added Ord. 72-1, 1972).

## SECTION 2-1919. DUES CHECK-OFF.

(a) A formally recognized employee organization only may have the regular dues of its members, within the appropriate unit for which the employee organization has been formally recognized as the representative, deducted from their paychecks, in accordance with procedures prescribed by the Controller. Dues deduction shall be for specified uniform amounts and shall be made only upon the voluntary written authorization of the members.

(b) Dues deduction authorizations shall be made upon dues authorization cards in the following form:

### DUES DEDUCTION AUTHORIZATION

I, ______________________________, employed as a
(Print full name)
______________________________, authorize and direct
(Print Classification/Job Title)
the Controller of the City of Fresno to make a payroll deduction from my earnings for my employee organization dues in the amount of $________ per payroll period, to be paid to

______________________________
(Name of formally recognized employee organization)

This authorization may be canceled and the payroll deduction discontinued upon written notice to the Controller during the last two months of a calendar year following the first full year of formal recognition of said organiztation.

The first deduction is authorized as soon as practicable after receipt of this authorization by the Controller.

______________________
Date

______________________
Signature of Employee

(c) A dues deduction authorization may be canceled by a member, and the dues check-off payroll discontinued, during the last two months of any calendar year following the first full year of formal recognition, upon voluntary written notice to the Controller, on cards furnished by the Controller in the following form:

### DUES DEDUCTION REVOCATION

I, ______________________________, employed as a
(Print full name)
______________________________, hereby cancel all dues
(Print Classification Title)
deduction authorization heretofore signed by me.

______________________
Date

______________________
Signature of Employee

(d) The employee's earnings must be sufficient after other legal and required deductions are made to cover the amount of the dues deduction authorized. When an employee is in a nonpay status for an entire pay period, no dues deduction shall be made from future earnings to cover that pay period, nor will the employee deposit with the Controller the amount which would have been deducted if the employee had been in a pay status during that period. In the case of an employee who is in a nonpay status during only a part of the pay period and the salary is not sufficient to cover other legal and required deductions, no dues deduction or deposit shall be made.

(e) A formally recognized employee organization for which dues are deducted shall pay to the city a service charge equal to the cost to the city, as determined by the Controller, of processing the dues deductions and check-off.

(f) Dues deducted by the city shall be transmitted to the officer designated in writing by the formally recognized employee organization as the person authorized to receive such funds, at the address specified.

(g) All formally recognized employee organizations who receive dues check-off shall thereby indemnify, defend, and hold the city harmless against any claims made and against any suit instituted against the city on account of deduction or check-off of employee organization dues. In addition, each formally recognized employee organization shall refund to the city any amount transmitted in error, upon presentation of a claim therefor, accompanied by supporting evidence. (Added Ord. 72-1, 1972).

SECTION 2-1920. REASONABLE TIME OFF TO MEET AND CONFER. A formally recognized employee organization may select not more than one employee member of such organization per appropriate unit to attend scheduled meetings with the Director on subjects within the scope of representation during regular work hours without loss of compensation. The selection of such employee member and his attendance at meetings during his regular work hours shall be subject to the following:

(1) No employee representative shall leave his duty or work station or assignment without specific approval of the department head or other authorized executive management official.

(2) In scheduling meetings due consideration shall be given to the operating needs and work schedules of the department in which the employee member is employed.

(3) Th employee member of the formally recognized employee organization, once selected and named to attend meetings, shall not be substituted for except with concurrence of the Director.

(4) Meetings may be scheduled before or after regular duty or work hours. (Added Ord. 72-1, 1972).

SECTION 2-1921. ACCESS TO WORK LOCATIONS. Reasonable access to employee work locations shall be granted officers of recognized employee organizations and their officially designated representatives, for the purpose of processing grievances or contacting members of their respective organizations concerning business within the scope of representation. Such officers or representatives shall not enter or be present at any work location without the consent of the Director. Consent of the Director may be given whenever the Director determines such access or presence will not interfere with the normal operations of the department or with established safety or security requirements. Solicitation of membership and activities concerned with the internal management of an employee organization, such as collecting dues, holding membership meetings, campaigning for office, conducting elections and distributing literature, shall not be conducted during working hours. (Added Ord. 72-1, 1972).

## SECTION 2-1922. AVAILABILITY OF DATA.

(a) The city will make available to employee organizations such nonconfidential information pertaining to employment relations as is contained in the public records of the city, subject to the limitations and conditions set forth in this article and Government Code Sections 6250-6260. Such information shall be made available during regular office hours in accordance with the city's rules and procedures for making public records available and after payment of any established charges therefor. Information which shall be made available to employee organizations includes regularly published data covering subjects under discussion. Data collected on a promise to keep its source confidential may be made available in statistical summaries, but shall not be made available in such form as to disclose the source.

(b) Nothing in this section shall be construed as requiring the city to do research for an inquirer or to do programming or assemble data in a manner other than usually done by the city. (Added Ord. 72-1, 1972).

## SECTION 2-1923. PROHIBITION OF STRIKE OR WORK STOPPAGE.

(a) Participation by an employee in a strike or work stoppage shall subject the employee to disciplinary action, up to and including removal from his position. No employee or employee organization, its representatives, or members, shall engage or participate in, cause, instigate, encourage, or condone a strike or work stoppage of any kind. If a recognized employee organization, its representatives, or members, engage in, cause, instigate, encourage, or condone a strike or work stoppage of any kind, then, in addition to any other lawful remedies or disciplinary actions, the Director may, with Council approval, by written notice suspend or revoke the recognition granted to such employee organization, may suspend or cancel any or all payroll deductions payable to such organization, may prohibit the use of city facilities or may prohibit access to work or duty stations by such organization. As used in this section, "strike or work stoppage" means any concerted abstention in whole or in part from the full, faithful performance of the duties of employment for the purpose of inducing, influencing, or coercing a change in wages, hours, or other terms or conditions of employment including, but not limited to, a failure to report to duty, a willful absence from duty without authorized leave, a "sick-out" or "work to rule" plan, or the stoppage or slowage of work.

(b) Notwithstanding the optional exercise of any other remedies or disciplinary actions, the city, its elective or appointed officials, shall not increase for a period of one year the wages or salary or fringe benefits of any employee who violates any provision of subsection (a).

(c) Any action of the Director taken under the provisions of this section may be appealed to the Council by filing a written notice of appeal with the City Clerk, accompanied by a complete statement setting forth all of the grounds and substantiating data upon which the appeal is based. Such notice of appeal must be filed within five days after notice is given to the affected employee organization of the Director's action. The Council shall hear the appeal, and may affirm, modify, or reverse the Director's decision. (Added Ord. 72-1, 1972).

SECTION 2-1924. CONSTRUCTION OF ARTICLE.

(a) Nothing in this article shall be construed to deny any person or employee the rights granted by City Charter provisions.

(b) The rights, powers, and authority of the Council in all matters, including the right to maintain any legal action, shall not be modified or restricted by this article.

(c) No act or acts of the Council, the city or any city officer, employee, or agent occurring before the effective date of this article, or occurring after said date, and not in conformity to this article shall constitute either formal or informal recognition of an employee organization, but the procedures for recognition appearing in this article are exclusive.

(d) Violation of this article shall not be a misdemeanor. (Added Ord. 72-1, 1972).

SECTION 2-1925. RULES AND REGULATIONS. The Director may adopt such rules and regulations necessary or convenient to implement the provisions of this article and Chapter 10, Division 4, Title 1 of the Government Code of the State (Sections 3500, et seq.). (Added Ord. 72-1, 1972).

# APPENDIX D

## Driver and Safety Training for Waste Disposal Employees

# DRIVER AND SAFETY TRAINING FOR WASTE DISPOSAL EMPLOYEES

The Waste Disposal Division's most important resource is you the employee. Without you, the task of keeping Fresno clean would be impossible. But to get the job done, you must be at work. When you are absent due to an accident, you suffer and the City suffers. Therefore, the purpose of the driver and Safety Training for Waste Disposal Employees is to help you avoid the many accident causing factors that you encounter each day in your work.

In order to reduce the ever increasing number of industrial and vehicle accidents it has become necessary for every employee to sharpen his skills and to start looking at safety in a new way. You must look at accident avoidance selfishly. Tell yourself and mean it, "When I work and drive safely, I am protecting my own interests". A side affect, of course, is that you also protect your fellow employees.

You can no longer consider yourself simply a swamper or driver. You must look upon yourself as a proficient employee who knows his job well and does it well. If you do this, then accident and injuries will be sharply reduced because a master workman knows that safe work practices are part of his job and not something extra that the boss asked him to do.

Defensive driving and defensive work practices must become part of you. Last year, several employees of the Waste Disposal Division had to be retired or terminated because of injuries they received on the job. Everyone of those could have been prevented. What a terrible waste of human beings this loss represents. Yet, in each case, safe driving or work practices could have prevented the loss. Who's to blame? Does it really matter. The important thing is not to let it happen again.

In some way your supervisor can provide instruction on safe procedures, safety equipment, and advice, but when it comes right down to the nitty gritty of working on the job, you are responsible for your own safety.

OBJECTIVE: Reduction of on-the-job injuries and vehicle accidents within the Waste Disposal Division

The daily work accidents should be reduced through individualized training of employees in proper lifting, vehicle maintenance, proper use and wearing of safety equipment, and familiarization with the Waste Disposal safety regulations.

Vehicle accidents should be reduced by the use of a Vehicle Check Ride, the Driver Safety Knowledge Evaluation and by individualized driver training, using the Field Test Course.

INSTRUCTOR'S NOTES:

## WASTE DISPOSAL DEPARTMENT

For the first two months, testing material will be evaluated. During this time material will be revised as the instructor deems necessary to meet the objectives of the Truck Driver Testing Program.

PROCEDURES:

I. Every week, the instructor will be with a different crew out on their daily route. Prior to the training period, a copy of the Driver Safety Knowledge Evaluation will be given to the crew that the instructor will be with the following week.

NOTE: During the week the Waste Disposal Vehicle Check Ride will be used to evaluate the crew members' deficiencies in the areas of work performance and truck driving.

a) Improvement will be evaluated at the end of the week by use of an individual score to be given each member. His individual score will be a determining factor in the combined score of the entire crew.

II. Sometime during the last three days of the week, training will be conducted on the Field Test Course. All crew members will be given training on the course (Collectors included).

## EMPLOYEE FAMILIARIZATION INFORMATION

### NEW EMPLOYEES

A. Division Safety Rules and Operating Procedures (See Attachment #1, page 1)

B. Proper Lifting Techniques (See Attachment #1, page 1)

  a. Facts About Backs (film)
  b. Herman the Demonstrator Dummy

C. Loading Mechanism on Truck

  a. Levers and Emergency Shut-off Procedure for Packing Unit.

    1. Two levers - Outside lever activates the sweeper blade,
       Inside lever activates the ram panel.
    2. Emergency Shut-OFF - Raise either lever up.

D. Driving the Truck

  a. Use of Daily Vehicle Dispatch (See Attachment #2)
  b. Starting Engine

    1. Stop lever down (between the two seats)
    2. Transmission in neutral
    3. Turn key to the right and start engine

  c. Proper Driving Procedures

    1. Laws and Regulations (See Attachment #1, pages 4-5)
    2. Turns and Proper Stops (See Attachment #1, page 5)
    3. Choice in Lanes (See Attachment #1, page 5)
    4. Backing the Truck (See Attachment #1, page 5)
    5. Location of Parking Brakes

      1. Parking brake on the dash board
      2. Located between the two seats

    6. Proper crew position during new pickup operation (See Attachment #1, page 3)

  d. Shutting Down Truck Engine

    1. Pull stop lever "out"
    2. Turn the key off

### OLD EMPLOYEES

General vehicle preventative maintenance information:

1. Review of vehicle and personal safety rules. (See Attachment #1)

2. Properly fill out Daily Vehicle Dispatch (Sign for steam cleaning of steps, to remove excess grease whenever necessary). (See Attachment #2)

3. Location of air tanks and fuel filters on specific vehicles (Standard operating Procedure).

  a. Air Tank - under the front, behind the bumper.
  b. Fuel Filter - by the fuel tank, right side of vehicle.

4. Check ride over designated course. (See Attachment #4-5)

ATTACHMENT #1

# CITY OF FRESNO
# WASTE DISPOSAL DIVISION
# SAFETY RULES AND PROCEDURES

## GENERAL SAFETY RULES

1. Supervisors shall be held responsible for familiarizing employees with hazards of the job and the best way to deal with them.
2. Supervisors shall continuously observe his work area, equipment and procedure for safety hazards.
3. If you are not sure how to do a job safely, ask your supervisor. Report unsafe conditions.
4. Horseplay, scuffling and other distracting acts, tending to adversely influence safety shall be prohibited.
5. There shall be no interference with persons operating machinery or the use of safety procedures.
6. Any by-passing, overriding, making ineffective,displacing, damaging or carrying off of any safety device is prohibited.
7. No employee shall operate mechanical or electrical equipment, except in a manner approved by his supervisor.
8. Always inspect equipment and insure it is safe before using.
9. Always make sure your machinery and materials are in good condition.
10. Properly wear and remove safety equipment.
11. Take an active part in and cooperate in safety program - accident investigations, inspections, safety meetings, safety reports, analysis tests of equipment, physical examinations, enforcement of rules.
12. Reprot all accidents or injuries to your supervisor at once.
13. Lift properly, seek assistance if necessary.
14. No one other than City employees shall be permitted to work with City equipment.

## LIFTING PROCEDURES

1. Size up the load. If it seems more than you can handle yourself, either get help or use mechanical lifting device.
2. Face the load squarely and get a firm footing, feet planted and properly spread 10" to 12" apart.
3. Never lift from a kneeling position or with one knee touching the floor or ground.
4. Always bend your knees and get a good grip on the load.

5. Keep a straight back and use legs to lift (lift by straightening legs).

6. Keep load close to the body and lift slowly and evenly.

7. Do not twist the body to change direction. Change foot position by shifting feet.

8. When "team lifting", let only one man give signals while both or all lift together.

9. Never lift with one hand.

10. Be sure and test weight before fully lifting; (limit weight of container and contents to 70 lbs.). This also applies to special hauls. Other material is to be limited to 70 lbs. per employee.

## EQUIPMENT

1. Machinery or equipment shall not be operated in a manner that will endanger persons or property, nor shall the safe operating speeds or loads be exceeded.

2. Safety devices are meant to protect you, so always use them.

3. Always make sure equipment is in good condition before using.

4. Safety in foot protection is a must. Never wear tennis or dress shoes on the job. Heavy containers do fall and feet must be protected. Boots with steel toes are preferred.

5. Gloves must be worn. This, along with safe procedures, should protect the hands and lessen chances of any accidents.

6. Torn clothing and/loose, poor fitting inappropriate type, or torn shoes will not be permitted on the job.

## USE OF SAFETY GLASSES AND BUMP CAPS

Safety glasses and bump caps shall be worn on the job at all times! The exceptions are as follows:

1. When doing routine office work.

2. When determined, in writing, by a medical doctor that the wearing of safety glasses by an employee causes skin irritation, headache, or eye strain, etc.

Without exception, safety glasses and bump caps will be in the employee's possession regardless of work assignment. Employees who report to work without the required equipment will not be permitted to work until he returns with the proper equipment.

Safety glasses and bump caps broken on the job will be repaired by the City. Glasses broken off the job will be repaired by employee. LOST glasses to be replaced immediately by employee.

* This also applies to Bump Caps.

## LOADING PROCEDURES

1. Never try to manipulate anything while packer blade is in operation.

2. Drivers shall see that all equipment is out of hopper before putting packing unit into gear.

3. Never hold on to truck while it is in cycle.

4. Always stand 3 or 4 feet clear of the truck, so that if a turnbuckle does not hold, you will not be hit.

5. Be careful when moving heavy wheeled containers as they are a potential foot and hand danger when moved carelessly.

6. Make sure that wires or branches will not interfere with loading. If they are an obstacle, please report to office.

7. Do not use feet or hands to push straggling refuse into hopper while blade is in cycle.

8. Never ride or stand on truck lifts.

9. Never get in or out of truck cab or jump on bucket while truck is in motion.

10. Never jump curbs unless in an emergency.

11. To avoid having the truck back-up into you or pull away from you, always approach the hopper from the side - not the rear.

12. Do not touch inside of hopper when truck is in motion.

13. Always stand clear of the hopper (Example: beside the truck) when the packing mechanism blade is in cycle.

14. Undo the hopper only after reaching the dump area at the fill.

## RESPONSIBILITIES

1. Each employee is to be responsible for being positively sure how the packer works, to know its hazards, limitations and safety devices. Lack of this knowledge or awareness of an equipment defect are to be reported at once. Each employee is also ultimately responsible for his own safety.

2. Drivers are responsible for their vehicles and how the vehicle is being used by his helpers.

3. The supervisor will be responsible for the training and instruction of his men. He should periodically have refresher training and inspection for all workers. He is also responsible for issuance of required safety equipment.

4. Drivers will not allow employees to board or to alight from truck when it is moving.

    a. There will be no crowding or pushing when entering or exiting from a vehicle.

## PRECAUTIONS

1. Never put refuse in hopper when truck is full.
2. Never activate packing mechanism when hopper is not dogged down.
3. Never drive with bad brakes, park the vehicle and call the shop for assistance.
4. Overheated brakes must be allowed to cool.
5. Always set hand or foot brake when truck is to be at rest.

## DISPOSAL SITE PROCEDURES

1. Always follow the directions of disposal site attendants.
2. Loader shall assist the driver in any manuvering.
3. Crews shall not remain at the disposal site any longer than necessary.
4. When tailgate is in raised position never have yourself or any part of body between truck body and raised tailgate.

## GENERAL DRIVING RULES

1. Observe traffic laws; obey signals and signs and speed limits.
2. Watch the other driver, give him the benefit of the doubt and your right of way to prevent a collision.
3. Maintain a safe interval between your vehicle and the one in front. (At least one truck length for every 10 mph of your speed with exceptions being observed in bad driving conditions,- more distance is needed then).
    a. Avoid jamming on brakes, especially booster brakes.
4. Take into account adverse conditions:
    a. On wet days - slow down.
    b. Pump brakes to keep wheels from locking.
    c. In heavy traffic slow down - keep following distance.
5. Do not mix drinking and driving.
6. Use seat belts (Where applicable).
7. Pass cars only when safe.
    a. When a car tries to pass you, slow down and help him get back in his own lane, if necessary.
8. Make sure vehicles comply with all vehicle regulations i.e. truck routes, markings, etc.

9. Cross all railroad tracks at slow rate of speed (approximately 5 mph).

REFUSE COLLECTION DRIVING

1. All employees who drive truck must have valid driver's license.

2. Daymen are not permitted to drive truck. After June 30, 1972, no employee, other than designated truck driver may drive truck unless he has completed (1) the Driver Check Ride, and Field Test Course and the 8 hour Defensive Driving Course and (2) has been issued a City Driving Permit.

3. Drivers shall be responsible for cleaning any refuse from their trucks. Drivers are responsible for safe operation of truck. If they permit someone else to drive they are still responsible to insure safe driving rules are followed. Drive the truck as if it were your own. Start and stop smoothly.

4. Make sure the transmission is in neutral before starting engine. Never start engine from outside the cab.

5. Always use low gear at the dumpsite or when starting truck from dead stop. On route, use second gear from stop to stop. Always use good judgement.

6. Keep a constant check on your instrument panel.

7. Make sure of your overhead clearance before driving under a low wire, building or trees. Never dump your bucket without checking overhead.

8. Do not turn around in private driveways.

9. Use your turn signals in plenty of time, before turning or changing lanes. Use 4-way flashers when making your pickup on a busy street.

10. Always watch out for people and animals while driving.

11. Employees must ride in designated areas.
    a. No riding in hoppers or buckets.
    b. No riding on loads.
    c. In transit, all employees shall ride within the truck cab.

12. Never back up unless it is absolutely necessary. If necessary then:
    a. Always back up slowly.
    b. Do not back until you are sure a co-worker is at the rear of truck (not on truck) to assist with backing at all times. He should be guiding you with hand signals and should be visible through sideview mirror.
    c. Always be especially careful around houses: Watch out for corners, garages, hedges and people.
    d. No employee will ride on the rear or sides of the truck while it is backing.

13. Driver should inspect footwear and see that it is free from mud, oil or excessive water to prevent them from slipping on floor or pedals.

14. Turnbuckles shall be secured on rear unit each day before leaving yard and after dumping each load, and shall remain tightened until ready to dump the load.

15. Truck should be checked before being taken out of yard - for faulty brakes, steering gear, horn, lights, etc.

16. Always park as close to curb as is possible. Cars should not have to cross center divider to get around a parked truck.

NON COMPLIANCE WITH ANY OF THE FOREGOING OPERATING AND SAFETY PROCEDURES IS CAUSE FOR DISCIPLINARY ACTION.

Municipal Code 2-1666, Section A and B, subsection 4, page 72.

Issued and posted - October 1, 1970

Revised and posted February 15, 1972

# City of Fresno

# DAILY VEHICLE DISPATCH

Truck No.________ Mileage________ Date________

Check each item Satisfactory ✓ or Repair X

| Item | Before Operation | After Operation |
|---|---|---|
| 1. Oil and Water Levels | | |
| 2. Head Lights | | |
| 3. Tail Lights | | |
| 4. Stop Lights | | |
| 5. Turn Signals | | |
| 6. Clearance Lights | | |
| 7. Gauges, Water, Oil, etc. | | |
| 8. Tire Condition | | |
| 9. Brakes | | |
| 10. Steering | | |
| 11. Horn | | |
| 12. Mirrors | | |
| 13. Windshield Wipers | | |
| 14. Attached Units | | |

Remarks and Service Requests:________

Signed ________
Driver

ATTACHMENT #3

# DRIVER SAFETY KNOWLEDGE EVALUATION
(THIS IS NOT A TEST)

1.) In the event of an automobile collision, not on City Property, the employee is required to:

_____ Care for the injured
_____ Notify the Police Department
_____ Complete the accident report form which is kept in every vehicle glove compartment
_____ Notify his supervisor
_____ All of the above

2.) The employee should notify the Police:

_____ If it is a MAJOR collision
_____ If it is a MINOR collision
_____ Whether it is a MAJOR or MINOR collision

The Defensive Driver should know:

3.) When approaching a traffic signal showing a green light, you should:

_____ Poise your foot over the brake so you can stop quickly if the light changes at the last minute or someone is illegally going through the light
_____ Speed up so that you can reach the intersection before a yellow light appears
_____ Slow to almost a stop

4.) In heavy traffic it is best to:

_____ Pass cars or change lanes until you find an open space
_____ Provide a safety space between you and the other drivers, and drive at the speed of other traffic providing they are moving no faster than the posted speed limit
_____ Drive slowly on the extreme right

5.) Most traffic accidents are the result of:

_____ Mechanical defects of the car
_____ Bad weather conditions
_____ Errors in the driver's judgment

6.) Before you operate a vehicle you should:

_____ Adjust mirrors and seats
_____ Fasten seat belts
_____ Familiarize yourself with the drive or gear selection system before starting the car
_____ Check the vehicle equipment to be sure it is in safe operating condition
_____ All of the above

7.) When you see a bus ahead on your right stopped to let off passengers and blocking your view of cross walk, you should:

_____ Slow down and watch out for pedestrians
_____ Sound your horn so pedestrians hear you and so the bus will not pull out in front of you
_____ Come to a complete stop

8.) Which of these turning movements is involved in the greatest number of accidents/What is a safety precaution to use?

_____ Turns to the right/Signal your intentions
_____ Turns to the left/Wait until it is safe and keep vehicle wheels pointed straight while waiting to turn
_____ Turns into private driveways/Signal your intentions
_____ U turns/Avoid them as much as possible

9.) Your car has entered an intersection when you notice a driver bluffing his way forward from a side street into your path. You should:

_____ Blow your horn and get his attention
_____ Pretend not to see him so he will back up to his correct position
_____ Move to your left and pass him to avoid an accident
_____ Slow down or stop until it is safe to proceed

10.) You are driving at the posted speed limit and a driver behind you sounds his horn and starts to pass. You should:

_____ Hold speed steady and let him pass
_____ Block him and let him know he cannot bully you around
_____ Speed up to get out of his way
_____ Don't let him shake you up, continue to drive as if he wasn't there

11.) When backing a City vehicle, you should:

_____ Be sure your observers are in position before starting to back
_____ Check both sides of the vehicle
_____ Place right arm on seat back and then back vehicle
_____ Back slowly and smoothly
_____ All of the above

12.) The likelihood of a rear-end collision can be reduced if you allow:

_____ One car length for every 10 mph of speed under good conditions
_____ One car length for every 30 mph of speed
_____ One car length for every 10 mph of speed under all conditions

13.) Reaction Distance is the:

_____ Number of feet your car travels between the time you apply the brakes and your car actually stops
_____ Time it takes you to bring your automobile to a stop from the moment you saw the trouble
_____ Time it takes the driver to touch the brakes from the moment he saw the emergency

14.) If your right wheel drops off the pavement while traveling at high speed or if a tire blows out:

_____ Don't brake
_____ Apply slight pressure to brakes
_____ Brake hard to bring the vehicle under immediate control

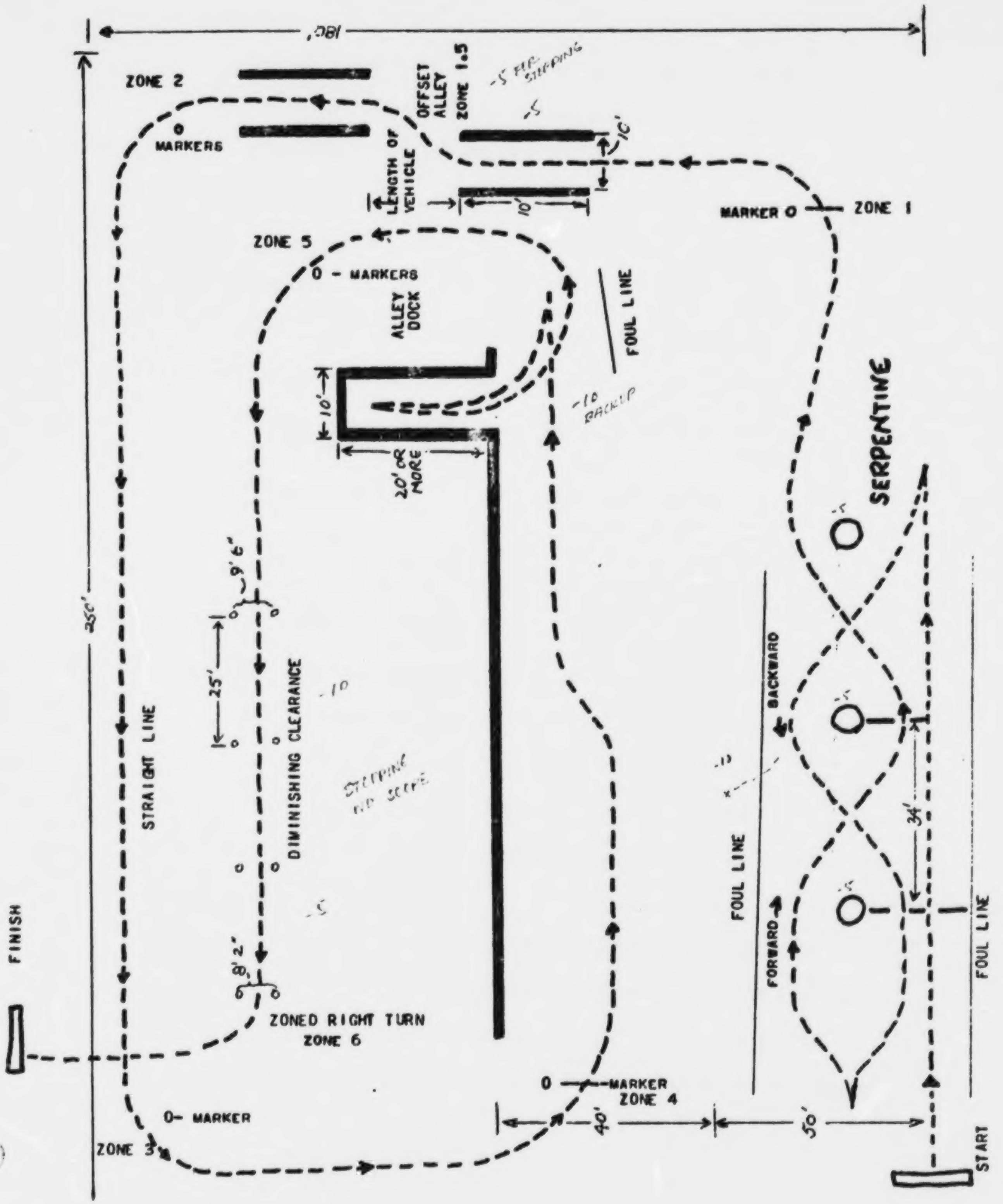
15.) Driving under Emotional Stress:

_____ Is safe because the individual becomes more alert
_____ Is hazardous and should be avoided
_____ Does not affect a person's ability to drive safely
_____ Can be reduced by driving aggressively

**WHAT YOUR SCORE MEANS**

| | |
|---|---|
| 14 - 15 | Defensive Driver |
| 11 - 13 | Average |
| 8 - 10 | Need familiarization with defensive driving techniques |
| 1 - 7 | Inadequate knowledge to safely drive |

## GENERAL DESIGN OF FIELD TEST COURSE


180'
250'
ZONE 2
0 MARKERS
OFFSET ALLEY
ZONE 1.5
-5 FOR STOPPING
-5
10'
LENGTH OF VEHICLE
10'
MARKER 0
ZONE 1
ZONE 5
0 - MARKERS
ALLEY DOCK
FOUL LINE
-10 BACKUP
10'
20' OR MORE
SERPENTINE
9' 6"
25'
DIAMINISHING CLEARANCE
-10
STOPPING NO SCORE
-5
8' 2"
STRAIGHT LINE
BACKWARD
-10
FOUL LINE
FORWARD
34'
FOUL LINE
FINISH
ZONED RIGHT TURN
ZONE 6
0 MARKER
ZONE 4
0- MARKER
ZONE 3
40'
50'
START

ATTACHMENT 5

## SCORING FOR DRIVING COURSE

1. Serpentine — 40 Points Total

Deduct ten points for neglecting to use a backup.

There are six places a driver can lose points.

3 barrels - 3 foul lines

Deduct five (5) points for bumping a barrel.

No score for'entire problem if foul line is crossed.

2. Off-Set Alley — 65 Points Total

Deduct five points for any bumping or scraping.

Deduct five points for each stop after starting the problem.

Judges instructed to move barriers to protect apparatus and to score accordingly.

No score if entire barrier has to be moved.

3. Straight Line

Person must drive on the right side of markers.

4. Alley Dock

1. Deduct ten points for neglecting to use backup.
2. Distance between vehicle and simulated dock

| | |
|---|---|
| 0 to 6 in. | 15 points |
| 6 to 12 in. | 10 points |
| 12 to 18 in. | 5 points |

No Score for the scraping or knocking over of a barracade.

5. Diminishing Clearance — 60 Points Total

10 points charged for touching any of first four (4) markers.

5 points charged for touching any of last four (4) markers.

All markers touched on one side of truck - no score

Stopping after entering diminishing clearance - no score

6. Left Turn Zones 1,3,4,5. 60 Points Total
Right Turn Zones 1,5,6.

Distance from curb marker

| | |
|---|---|
| 0 to 6 in. | 60 points |
| 6 to 12 in. | 50 points |
| 12 to 18 in. | 35 points |
| 18 to 24 in. | 20 points |
| Outside Zone 5 or over curb line or cross over foul line | No Score |

7. Finish Line 30 Points Total

1. Accelerate to 15 MPH at pre-determined location.
2. Apply brake in smooth steady manner.
3. Stop vehicle as close as possible to front edge of line.

| | | |
|---|---|---|
| Zone 1 | 0 to 6 in. | 30 points |
| Zone 2 | 6 to 12 in. | 20 points |
| Zone 3 | 12 to 18 in. | 10 points |
| | over 18 in. | No score |

No score if past finish line

8. Bonus Points 15 Points Total

1. Repeat Alley Dock without backup.

Distance between vehicle and simulated dock

| | |
|---|---|
| 0 to 6 in. | 15 points |
| 6 to 12 in. | 10 points |
| 12 to 18 in. | 5 points |

# APPENDIX E

## Equipment Replacement Decision Technique Used in Fresno

# EQUIPMENT REPLACEMENT POTENTIAL

Charles H. Ware
Assistant Public Works Director
City of Fresno, California
September, 1971

When and at what price to replace old automotive equipment can be a very elusive and difficult decision. With budgetary constraints, political and administrative pressures, increasing maintenance costs, obsolescence, and general economic trends playing decisive roles, the big decision is frequently a hard one to reach. Managers who are charged with the responsibility of selecting the time and conditions for replacing such equipment might be compelled to use non-objective, irrational criteria in making their crucial decisions. Nevertheless, they can begin their debates and struggles from a position of objectivity and soundness. Even after compromise (or acquiescence), the resultant will be far easier to live with than if such a rationale had never been established.

The Replacement Potential method will provide substantial assistance in determining when and under what circumstances equipment should be retained or replaced. An attempt has been made to reckon with every economic factor that conceivably could be involved in deciding whether to retain or replace a piece of equipment. A relatively small portion of the decision is left to the discretion of the manager. His judgment is used in determining: (1) the anticipated retention time when the equipment is acquired; (2) the expected quantity of service to be realized throughout the life of the equipment; (3) the extent to which financing should be used; and (4) whether a different type of quality of equipment would be more suitable than the retiring equipment. Of the twenty-seven variables used in the Replacement Potential method only four directly employ the judgment of the manager.

Funding, delivery time, and functional equivalence deserve special emphasis and will be discussed separately at this point.

No decision to replace equipment can be meaningful at a time when funds and/or financing cannot be arranged. Some of the means by which money may be acquired for equipment purchases include: (1) capital outlay, (2) collateral loan, (3) depreciation reserve, (4) sinking fund, and (5) outright grant. These methods of funding are mentioned here solely for emphasis; they do not purport to be an exhaustive list, and their full explanation is not within the scope of this text. Suffice it to say that some means of funding must be available before any further work is done on the study--otherwise such an undertaking would represent a mere waste of time.

The length of time required for delivery of the new equipment can be a significant factor in the ultimate decision. Some equipment is not stocked by the supplier; some must be manufactured or assembled; and some has to be transported over great distances to the purchaser. In any case where delivery is not initiated until the supplier receives a firm commitment, the service life of the old equipment will be extended beyond the current day. Thirty-day, sixty-day and ninety-day deliveries are common. Six-month, nine-month, twelve-month and longer deliveries are not unusual on highly specialized equipment. It is entirely possible, as will be seen in an example, for a distant delivery date to alter a current decision. A six-month delivery will require that the old equipment experience more service, longer life, more operating costs, more maintenance, less salvage value, and more depreciation. The effect of a distant delivery date upon the demands on old equipment should not be under-evaluated.

Ordinarily old equipment is replaced by new equipment having approximately the same characteristics, specifications, and price as the old equipment had when it was new. When this is true, the Replacement Potential method is straightforward and needs little, if any, adjustment or interpretation. Remembering that this method is basically a comparison of the total cost of old equipment with the total cost of new equipment, one readily accepts the following explanation. If it is desired to move up to much more expensive equipment, a special situation must be dealt with. (See the example below.) In order to justify buying a replacement at a price considerably more than the price of the retiring equipment, either the old equipment is very expensive to operate and maintain or the new equipment promises to be very economical to operate and maintain. It is quite likely that the Replacement Potential method will indicate the purchase of a replacement at one price and reject a purchase at a higher price. This simply indicates that moving up into a higher price class not always results in a more economical operation. Conversely, moving down into a lower price class might lead to better economy of operation even with higher maintenance and operating costs. Being a total cost comparison, the Replacement Potential method is devised to deal with the comparison of equipment in the same class or in different classes so long as the performance of service is assumed or proven to be comparable.

Following is a list of definitions of the twenty-seven parameters that are involved in the Replacement Potential method:

| | |
|---|---|
| $i_o$ | The annual interest rate at which the old equipment was financed. |
| $A_o$ | The financed portion of the purchase price of the old equipment. |

| | |
|---|---|
| $t_o$ | The time (in years) during which interest was paid on the old equipment to the date of the study. |
| $T_o$ | The total accumulated annual taxes on the old equipment to the date of the study. |
| $I_o$ | The total accumulated insurance premiums paid for the old equipment to the date of the study. |
| $I_n$ | The anticipated annual insurance premiums for the new equipment. |
| $T_n$ | The anticipated annual taxes on the new equipment (licenses, road taxes, etc.). |
| $L_{pn}$ | The predicted life (in years) of the new equipment. |
| $i_n$ | The best available annual interest rate to be paid on the new equipment. |
| $A_n$ | The portion of the purchase price of the new equipment which will be financed. |
| $t_n$ | The time (in years) during which interest will be paid on the new equipment. |
| $g_n$ | The current fuel cost per gallon. |
| $S_{pn}$ | The predicted service (in miles or hours) of the new equipment. |
| $U_n$ | The anticipated use (in miles or hours) of the new equipment per gallon of fuel. |
| $G_o$ | The total accumulated fuel cost for the old equipment to the date of the study. |
| $L_a$ | The actual expired life (in years) of the old equipment to the date of the study. |
| $M$ | The total accumulated maintenance and repairs on the old equipment to the date of the study. |
| $C_n$ | The total cost of the new equipment including sales tax, license, delivery, etc. |
| $m$ | The total cost of modifications to the old equipment to the date of the study. |
| $v$ | The market or trade-in value of the old equipment on the date of the study. |

| | |
|---|---|
| $D$ | The total accumulated straight-line depreciation on the old equipment to the date of the study. Or, the total principal amount paid on the old equipment to the date of the study. Or, the sinking fund balance on the date of the study. Use whichever is applicable. |
| $C_o$ | The total cost of the old equipment including sales tax, license, delivery, etc. |
| $S_a$ | The actual service (in miles or hours) rendered by the old equipment from the date of acquisition to the date of the study. |
| $u_p$ | The average daily use per shift (in hours) predicted for the old equipment at the time it was acquired. |
| $L_{po}$ | The life (in years) predicted for the old equipment at the time it was acquired. |
| $S_{po}$ | The service (in miles or hours) predicted for the old equipment at the time it was acquired. |
| $u_a$ | The actual average daily availability for use per shift (in hours) of the old equipment from the date of acquisition to the date of the study. This factor permits downtime to be reckoned with. |
| $F$ | The fixed charge ratio: $F = \dfrac{(I_n + T_n)L_{pn} + i_n A_n t_n}{I_o + T_o + i_o A_o t_o}$ |
| $Q$ | The operating cost ratio: $Q = \dfrac{g_n S_{pn}}{U_n G_o}$ |

Because of the bearing current economic conditions have on a good decision to replace or retain equipment, the derived "Fixed Charge Ratio" should be examined further at this point. The eleven variables involved in this ratio tend to reflect changes in the general economic situation. When the sum of interest, insurance and recurring taxes is increasing, the fixed charge ratio tends to indicate that the old equipment should be retained longer. Conversely, when that sum is decreasing, the fixed charge ratio tends to indicate that early replacement is in order. If fixed charges exist in the old or the new equipment but not in both, those charges should be included in maintenance costs in order to avoid multiplying or dividing by zero.

The "Operating Cost Ratio" tends to reflect improvements and increased efficiencies in new equipment. When the total anticipated operating costs for the predicted life of the new equipment exceed the total accumulated operating costs for the old equipment to the date of the study, the operating cost ratio will tend to indicate that the old equipment should be retained longer. Conversely, when the total anticipated operating costs for the predicted life of the new equipment are less than the total accumulated operating costs for the old equipment to the date of the study, the operating cost ratio will tend to indicate that the old equipment should be replaced at an early date.

An additional word about operating costs is in order. In automotive equipment, fuel is the only normally consumable material the quality of which is required to be reasonably constant in order for the equipment to perform its functions. Tires, brakes, batteries, lubricating materials, bearings, gears, coolants, and the like are not expected to be consumed by the process of energy conversion in the manner that fuel always is. For these reasons it is logical to simplify the formula by assuming that fuel is the only factor which enters into the cost of operation. The costs of all the other depreciable materials mentioned above, therefore, should be included in maintenance and repairs.

With so many variables involved, what are the sources of information? There are four general sources from which information may be obtained: (1) standards, (2) fleet records, (3) outside agencies and companies, and (4) judgment.

Standards represent experiences which were hoped to be realized by the old equipment. Standard values from tables may be used, or values established by the Fleet Manager may be used. Variables falling in this category are:

$L_{po}$
$S_{po}$
$u_p$

The files and records of the fleet operation unit prove to be the richest of all sources of information--yielding 13 of the 27 variables. The accuracy of information contained in the records bears very heavily on the reliability of the solution; all this information must be accepted as absolute historical fact. The variables that should be contained in the fleet files and records are:

$G_o$
$M$
$m$
$D$
$C_o$
$i_o$
$A_o$
$t_o$
$T_o$
$I_o$
$L_a$
$S_a$
$u_a$

Certain very valuable information must be secured from outside sources. Lending institutions, insurance agencies, fuel distributors, equipment dealers, and taxing agencies should be canvassed for the best information available. Where competitive prices prevail, use the average of three up-to-date proposals. It also should be noted that simple interest is used in this method. The relatively small discrepancy between simple and compound interest should not destroy the efficacy of the solution since the ratio of the interest on the new equipment to the interest on the old equipment tends to cancel the common error. Variables to be determined from outside sources are:

$I_n$
$T_n$
$i_n$
$U_n$
$g_n$
$C_n$
$v$

The remaining source of information is the judgment of the fleet management personnel. Predicted life and service of the new equipment along with financing terms and conditions can be made to reflect recent experiences and the current financial condition of the fleet operation. Variables that emanate from judgment are:

$L_{pn}$
$S_{pn}$
$A_n$
$t_n$

$P_o$ The total cost index of the old equipment.

$$P_o = \frac{L_a S_a u_p}{L_{po} S_{po} u_a}(M + D)$$

$P_n$ The total cost index of the new equipment.

$$P_n = FQ(C_n - v + C_o + m - D + M\frac{L_{pn}}{L_a})$$

$$P_r = \frac{P_o}{P_n} = \text{Equipment Replacement Potential}$$

The complete formula for Equipment Replacement Potential is:

$$P_r = \frac{\dfrac{L_a S_a u_p}{L_{po} S_{po} u_a}(M + D)}{\left(\dfrac{(I_n + T_n)L_{pn} + i_n A_n t_n}{I_o + T_o + i_o A_o t_o}\right)\left(\dfrac{g_n S_{pn}}{U_n G_o}\right)\left(C_n - v + C_o + m + M\dfrac{L_{pn}}{L_a} - D\right)}$$

$100\ P_r$ = Equipment Replacement Potential (in percent)

WHENEVER THE REPLACEMENT POTENTIAL EXCEEDS 100%, REPLACEMENT IS IN ORDER. A REPLACEMENT POTENTIAL OF LESS THAN 100% INDICATES THAT FURTHER RETENTION IS REASONABLE UNDER THE STUDIED CONDITIONS.

A replacement Potential greater than 100% indicates that the old equipment has reached the point in its use where it is more expensive and will become progressively even more costly to use than its new, updated replacement. In all probability this situation will develop soon after a large, unusual repair or maintenance expense. This correctly infers that the proper time to consider replacement is after the Replacement Potential approaches 100% and prior to expending large sums for additional operation, maintenance, and repairs. If the estimated cost of the needed maintenance and/or repairs, when combined with "M", causes the Replacement Potential to exceed 100%, replacement should be executed promptly. Thus optimum overall costs can be realized. On the other hand, impulsive decisions can be avoided by relying on this essentially objective replacement indicator.

An example will illustrate the use of the Equipment Replacement Potential method.

EXAMPLE:

A municipally-owned fleet operation is considering the replacement of a self-propelled compactor for the sanitary landfill. The Fleet Manager wants to move up to a heavier, more expensive unit than the one now in use. Delivery time might enter into the decision on this piece of heavy equipment. With the following basic information, determine whether or not replacement is feasible:

| | DELIVERY FROM STOCK | DELIVERY IN 3 MOS. | DELIVERY IN 4 MOS. | DELIVERY IN 6 MOS. |
|---|---|---|---|---|
| $i_o$ | 0 | no change | no change | no change |
| $A_o$ | 0 | no change | no change | no change |
| $t_o$ | 0 | no change | no change | no change |
| $T_o$ | 0 | no change | no change | no change |
| $I_o$ | $297.47 | $312.93 | $318.06 | $328.32 |
| $I_n$ | $64/year | no change | no change | no change |
| $T_n$ | 0 | no change | no change | no change |
| $L_{pn}$ | 5 years | no change | no change | no change |
| $i_n$ | 0 | no change | no change | no change |
| $A_n$ | 0 | no change | no change | no change |
| $t_n$ | 0 | no change | no change | no change |

|  | DELIVERY FROM STOCK | DELIVERY IN 3 MOS. | DELIVERY IN 4 MOS. | DELIVERY IN 6 MOS. |
|---|---|---|---|---|
| $g_n$ | \$0.1175 | no change | no change | no change |
| $S_{pn}$ | 9400 hrs. | no change | no change | no change |
| $U_n$ | 0.20 hr./gal. | no change | no change | no change |
| $G_o$ | \$6,949.72 | \$7,225 | \$7,343 | \$7,600 |
| $L_a$ | 4.833 yrs. | 5.083 yrs. | 5.167 yrs. | 5.333 yrs. |
| M | \$38,150.36 | \$39,825 | \$40,478 | \$41,500 |
| $C_n$ | \$80,000 | no change | no change | no change |
| m | 0 | no change | no change | no change |
| v | \$7,000 | \$6,500 | \$6,333 | \$6,000 |
| D | \$29,620.64 | \$34,759 | \$35,429 | \$39,897 |
| $C_o$ | \$38,084.80 | no change | no change | no change |
| $S_a$ | 11,315 hrs. | 11,908 hrs. | 12,103 hrs. | 12,500 hrs. |
| $u_p$ | 6 hrs./day | no change | no change | no change |
| $L_{po}$ | 6 years | no change | no change | no change |
| $S_{po}$ | 10,000 hrs. | no change | no change | no change |
| $u_a$ | 5.6 hrs./day | 5.4 hrs./day | 5.3 hrs./day | 5.2 hrs./day |

SOLUTION:

(Calculations shown for only delivery from stock.)

$$F = \frac{(64 + 0)5 + 0}{297.47 + 0 + 0} = 1.0757$$

$$Q = \frac{(0.1175)(9400)}{(0.20)(6949.72)} = 0.7946$$

$$P_o = \frac{(4.833)(11315)(6)}{(6)(10000)(5.6)} (38150.36 + 29620.64) = 66180.0697$$

$$P_n = (1.0757)(0.7946)\left(80000 - 7000 + 38084.80 + 0 + (38150.36)\left(\frac{5}{4.833}\right) - 29620.64\right) = 103375.8821$$

$$P_r = 100\,\frac{P_o}{P_n}\% = (100)\,\frac{66180.0697}{103375.8821}\% = 64\%$$

The tabulated results below will facilitate further evaluation of the replacement.

| | DELIVERY FROM STOCK | DELIVERY IN 3 MOS. | DELIVERY IN 4 MOS. | DELIVERY IN 6 MOS. |
|---|---|---|---|---|
| F | 1.08 | 1.02 | 1.01 | 0.97 |
| Q | 0.79 | 0.76 | 0.75 | 0.73 |
| $P_o$ | 66180 | 83601 | 89565 | 104349 |
| $P_n$ | 103376 | 90669 | 87389 | 78682 |
| $P_r$ | 64% | 92% | 102% | 133% |

If the compactor can be delivered from stock, replacement can be postponed for four months. In a more practical sense, specification writing, competitive bidding, and the awarding of the bid could well consume the better part of three months. If such is the case, replacement should be initiated immediately to avoid the excessive costs of owning the old equipment for more than four months. If the purchase can be made without the formalities, replacement can be deferred for four months.

If the equipment is not a stock item, the delivery time must be added to the time required for the necessary purchasing formalities. In the example the equipment would have to be delivered within about four months, or the operation becomes more costly than it would be with new equipment. Such excessive costs can and should be avoided by replacing the old equipment at the proper time.

It should be noted that modifications, "m", add capital value to the equipment. In the example if modifications are made subsequent to the date of the study, the Replacement Potential will decrease. This tends to allow time for benefits to accrue in favor of the added investment.

By the same token, adjustments may be made where necessary in any of the information which is derived from judgment or secured from outside sources. Of course in any event the decision resulting from the most accurate and most reliable information is the decision that should be followed.

In adjusting calculations of the Replacement Potential, it will be useful to bear in mind that some of the parameters are direct functions while others are inverse functions. A direct function is one whose increase is accompanied by an increase in the Replacement Potential, and whose decrease is accompanied by a decrease in the Replacement Potential. An inverse function is one whose increase is accompanied by a decrease in the Replacement Potential, and whose decrease is accompanied by an increase in the Replacement Potential. The following tabulation will be convenient when contemplating adjustments:

| DIRECT | | INVERSE | |
|---|---|---|---|
| $L_a$ | $i_o$ | $L_{po}$ | $A_n$ |
| $S_a$ | $A_o$ | $S_{po}$ | $t_n$ |
| $u_p$ | $t_o$ | $u_a$ | $g_n$ |
| $D$ | $U_n$ | $I_n$ | $S_{pn}$ |
| $I_o$ | $G_o$ | $T_n$ | $C_n$ |
| $T_o$ | $v$ | $L_{pn}$ | $C_o$ |
| $M$ | | $i_n$ | $m$ |

The use of the Replacement Potential method will be facilitated if the following sequence of operations is adherred to:

1. Make sure funding is available.
2. Know the equivalence of the old and the new equipment.
3. Obtain reliable delivery dates.
4. Secure accurate data from proper sources.
5. Make the calculations.
6. Adjust the data as necessary.
7. Re-calculate if necessary.
8. Interpret all results.
9. Draw final conclusions, and take action.

In conclusion, let it be said that we are dealing with a decision that is moderately complex and frequently quite difficult to make. The Replacement Potential method of arriving at that decision is not lacking in objectivity; however, at times good judgment and accurate information might possibly leave something to be desired. All in all, when the best possible reasons are combined with the best available information in a very well-organized and valid method, the least that can be expected is a very good decision. This is exactly the kind of tool needed by managers when they are confronted with bulwarks of political and administrative pressures while trying to decide whether to retain or replace old equipment. Use it.

The general solution to the Replacement Potential formula has been programmed for the Hewlett-Packard HP91000A desktop calculator. A copy of the program may be obtained by contacting the author. The address is 2326 Fresno Street, Fresno, California 93721. Please send a blank program card with your request.

With a computer of considerably greater capacity than the Hewlett-Packard HP9100A it is possible to refine the calculations and obtain even more meaningful results. For instance, we can work with practical inaccuracies and time-varying factors, and analytically extrapolate future Replacement Potentials for any desired period of time. The limits within which we choose to operate are set by predictable discrepancies in estimating future values, by the time required for delivery of replacement equipment, and by budget projection requirements.

Inaccuracies of plus or minus 10% in cost of the new equipment and plus or minus 20% in Anticipated Use per Gallon of Fuel are reasonable, probable, and acceptable. Inaccuracies of plus or minus 3% are reasonable, probable, and acceptable in the remaining variant cost factors. The one exception is Trade-in (or Salvage) Value, which varies inversely with time and is also vulnerable to sizable discrepancies in estimating. Because of this compound departure from a constant magnitude, Trade-in Value is assumed to diminish at the rate of 2% per month based at all times on the original value given for the study. The maximum delivery time reckoned with in automotive equipment is eighteen months from the effective date of the information that is used in the study.

The 27 factors may be classified in four groups, depending on their respective tendencies to deviate from stated values. Those four classifications are defined here and tabulated below.

Fixed Factors. These are the factors that are presumed to have absolute, constant values. This presumption is logical and valid, because each factor must satisfy one of the following criteria: (1) It is a standard selected by the manager and used as a reference throughout the study; (2) It is a simple historical fact taken from fleet records; or (3) It is controllable by the fleet manager.

*Variant Cost Factors*. These are the factors that are subject to inaccuracies resulting in improperly stated monetary costs. Variant Cost Factors exist by virtue of judgment, predictions, and estimates. Since these factors are market-price oriented, it is reasonable to expect them to be within 3% or 10% of realizable values.

*Variant Performance Factor*. In addition to the characteristics of Variant Cost Factors, the Variant Performance Factor also tends to deviate from a fixed value as a result of salesmanship. Due to possible compounding of two distinctly different types of inaccuracies we should expect stated values of this factor to deviate as much as 20% from realizable values.

*Time-Varying Factors*. These are factors reasonably presumed to vary linearly with respect to time. With the exception of Trade-in Value and the other two factors designated by asterisks (*), all these factors may be extrapolated from their respective stated values -- using those stated values and the Actual Expired Life to detemmine the appropriate rates of change.

It has already been indicated that Trade-in Value diminishes from the given value at the rate of 2% per month.

It is assumed that as soon as the Depreciation (or the Sinking Fund) reaches the value of the Total Cost of the Old Equipment, Depreciatinn will be held constant at that value. Therefore, Depreciation should not be allowed to exceed the given value or the Total cost of the Old Equipment, whichever is greater.

The Interest Payment Period for the old equipment is the time during which interest payments have been made. It is highly improbable that interest will be paid for a period of time exceeding the Actual Life of the old equipment. For the above reason the following manipulation is necessary: If the given

Interest Payment Period is greater than the given Actual Life of the old equipment, the Interest Payment Period is assumed equal to the Actual Life until they factually become equal. From that point in time the Interest Payment Period remains constant at the given value.

FACTORS

| FIXED | | VARIANT COST | VARIANT PERFORMANCE | TIME-VARYING | |
|---|---|---|---|---|---|
| $u_p$ | $t_n$ | $I_n$ | $U_n$ | $L_a$ | $M$ |
| $u_a$ | $L_{po}$ | $T_n$ | | $S_a$ | $to^*$ |
| $i_o$ | $C_o$ | $i_n$ | | $D^*$ | $G_o$ |
| $A_o$ | $S_{po}$ | $g_n$ | | $I_o$ | $v^*$ |
| $A_n$ | $m$ | $C_n$ | | $T_o$ | |
| $L_{pn}$ | $S_{pn}$ | | | | |

With all 27 factors classified as to constancy or variation, we now can incorporate this added information into the basic Replacement Potential equation. The objective here is to derive the lower and upper limits of the Replacement Potential based on the stated values of the 27 factors. Since the study is to be a monthly projection for 18 months from the effective date of the information used in the study, 36 complete solutions will be required for each piece of equipment under study. Calculations should be made in the following order:

1. Upper limits for each successive month (Worst Case)
2. Lower limits for each successive month (Best Case)

The upper limits are calculated by using the stated Fixed Factors, 120% of the Anticipated Use per Gallon of Fuel, 90% of the Total Cost of the New Equipment, 97% of each other Variant Cost Factor, adding a monthly increment (the average monthly value based on stated information) to each Time-Varying Factor except Trade-in, and decreasing Trade-in at the rate of 2% of the stated value each succeeding month. (Take into account the three exceptions in Time-Varying Factors.)

The lower limits are calculated by using the stated Fixed Factors, 80% of the Anticipated Use per Gallon of Fuel, 110% of the Total Cost of the New Equipment, 103% of each other Variant Cost Factor, and using the Time-Varying Factors as used for the upper limits. (Again, remember the three exceptions.)

The upper limit and the lower limit of the Replacement Potential can now be compared with each other month by month. Those two representations of the Replacement Potential will reach 100% in that sequence. Replacement should occur between the months when the upper and lower limits reach 100%.

Add the number of months required for delivery, plus time for formal approval of the replacement, plus time for advertising and calling bids, plus time for specifications writing. Move back in time this total number of months from the month corresponding to the month in which the lower limit reaches 100%. The month indicated is the time when the specifications for the replacement equipment should be started. Each other phase of the purchasing process should take place according to indications of the time needed for the purpose.

Rev. 3/72

# APPENDIX F

## Memorandum of Understanding Between The City of Fresno and American Federation of State, County, and Municipal Employees

# MEMORANDUM OF UNDERSTANDING
BETWEEN AND FOR
THE CITY OF FRESNO
AND
DISTRICT COUNCIL #94
AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES

***********

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City Council
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# ARTICLE I

## PREAMBLE

### A. GENERAL

This Memorandum of Understanding, entered into between the City of Fresno, hereinafter referred to as the City, and Local 2051, District Council #94, American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter referred to as the Union, has as its purposes: the establishment of harmonious relations between the City and the Union; the establishment of an equitable and peaceful procedure for the resolution of differences; and the establishment of wages, hours, and other terms and conditions of employment.

### B. DEFINITIONS

Unless the particular provision or the context otherwise requires, and, except to the extent that a particular word or phrase is otherwise specifically defined in this Memorandum of Understanding, the definitions and provisions contained in Article 3 of Chapter 1, Sections 2-1501, 2-1601, and 2-1903 of the Fresno Municipal Code shall govern the construction, meaning, and application of words and phrases used herein. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derivative from it, or from which it is a derivative, as the case may be.

### C. GOVERNING LAWS

The legal relationship between the City and its employees and the City and the Union is governed by Chapter 10 of Division 4 of Title I of the Government Code (Section 3500 et seq., commonly known as Meyers-Milias-Brown Act) and Article 19 of Chapter 2 of the Fresno Municipal Code, and in the event of conflict between said laws and this Memorandum of Understanding or rights claimed to arise herefrom, said laws shall govern; in the event of conflicts in interpretation, said laws shall govern.

## ARTICLE III

## CITY RIGHTS

### A. GENERAL

1. The rights of the City are included in Section 2-1905 of the Fresno Municipal Code which reads as follows:

   (a) The exclusive rights of the City include, but are not limited to, the right to

   (1) determine the mission of its constituent departments, divisions, commissions, and boards;

   (2) set standards of service and municipal fees and charges;

   (3) determine the procedures and standards of selection for employment, assignment, transfer, and promotion;

   (4) direct its employees;

   (5) take disciplinary action;

   (6) relieve its employees from duty because of lack of work or for other legitimate reasons;

   (7) maintain the efficiency of governmental operations;

   (8) determine the methods, means, and personnel by which government operations are to be conducted;

   (9) determine the content of job classifications;

   (10) take all necessary actions to carry out its mission in emergencies;

   (11) exercise complete control and discretion over its organization and technology of performing its work.

   (b) All rights formerly or presently claimed by or vested in the City on the effective date of this article and not mentioned in subsection (a) are retained by the City unless explicitly waived by the City by resolution of the Council or by Council-approved Memorandum of Understanding.

2. This Memorandum of Understanding is not intended to restrict consultation in good faith with the Union regarding matters within the right of the City to determine.

3. Nothing in this Memorandum of Understanding shall be construed as delegating to others the authority conferred by law on the City, or in any way abridging or reducing such authority.

4. This Memorandum of Understanding shall be construed as requiring the City to follow its provisions in the exercise of the authority conferred upon the City by law, except that this clause shall not be deemed to be a grant of authority to sue any person, including the Union, not otherwise existing.

# ARTICLE II

## EMPLOYEE RIGHTS

### A. GENERAL

The rights of employees are set forth in Section 2-1904 of the Fresno Municipal Code.

### B. DISCRIMINATION

The provisions of this Memorandum of Understanding shall apply equally to and be exercised by all employees in the Non-Supervisory Blue Collar unit, as described in Article IV Section B hereof, without discrimination as to age, sex, marital status, race, color, creed, national origin, or political affiliation.

### C. REPRESENTATION RIGHTS AND RESPONSIBILITIES

1. Rights. All employees in the Non-Supervisory Blue Collar unit, as described in Article IV section B, shall be allowed, subject to the lawful limitations described in the AFSCME Constitution and By-Laws, full voice, vote, and influence on positions and proposals of the Union.

2. Responsibilities. All employees in the Non-Supervisory Blue Collar unit, as described in Article IV Section B, acknowledge that the City shall consider the positions and proposals of the Union as the Meet and Confer positions and proposals of all employees, individually and collectively, in said unit.

B. SAVING CLAUSE

1. All city rights formerly or presently claimed by or vested in the City on the effective date of this Memorandum of Understanding, even though not specifically set forth in Section A above, are retained by the city unless clearly and explicitly modified or restricted in Article X, Modifications, of this Memorandum of Understanding; provided, that notwithstanding any provision of said Article X, no city right shall be deemed waived, modified, or restricted unless specifically approved by the Council.

2. Execution of this Memorandum of Understanding by the Union shall not be deemed a waiver of any Union or employee right unless the right is clearly or explicitly modified or restricted herein.

# ARTICLE IV

## RECOGNITION

### A. UNION RECOGNITION

The city acknowledges the Union as the recognized employee organization representing the Non-Supervisory Blue Collar unit, and therefore, shall meet and confer in good faith promptly upon request by the Union and continue for a reasonable period of time in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement on matters within the scope of representation at least one week prior to the last regular Council meeting at which the City budget must be adopted for the ensuing fiscal year in order to meet the June 30 deadline specified in the City Charter. In order that the meet and confer process includes adequate time for the resolution of impasses, the City will entertain meet and confer process proposals from the Union as early as March 1, 1974; in the event that agreement has not been reached by at least May 31, 1974, the City and the Union shall jointly initiate the impasse resolution procedure sequence as set forth in Fresno Municipal Code, Section 2-1916, RESOLUTION OF IMPASSES.

### B. RECOGNITION OF UNIT DESCRIPTION

The Non-Supervisory Blue Collar unit consists of all employees holding a permanent position, as defined in Fresno Municipal Code Section 2-1601 (21), in one of the following classes:

Parking Meter Collector
Meter Reader
Storeskeeper
Automotive Partsman
Parks Maintenanceman
Senior Parks Maintenanceman
Parks Maintenance Leadman
Landscape Gardener
Tree Trimmer
Tree Trimmer Foreman
Warehouseman Carpenter
Camp Caretaker-Carpenter
Zoo Attendant
Senior Zoo Attendant
Water Serviceman
Water Service Leadman
Sewerman
Sewer Leadman
Sewage Treatment Plant Operator I
Sewage Treatment Plant Operator II
Utilityman
Utility Leadman
Laborer
Irrigator
Maintenance & Construction Man
Light Equipment Operator
Equipment Operator
Heavy Equipment Operator
(Street Sweeping)
Heavy Equipment Operator
Dragline Operator
Street Maintenance Leadman
Traffic Maintenanceman
Traffic Maintenance Leadman
Combination Welder
Radio Technician
Equipment Serviceman
Park Equipment Mechanic
Treatment Plant Mechanic
Equipment Mechanic I
Equipment Mechanic II
Body & Fender Repairman
Automotive Painter
Equipment Inspector
Equipment Repair Shop Leadman
Park Equipment Foreman
Janitor
Building Maintenanceman
Senior Building Maintenanceman
Stagehand
Senior Stagehand
Waste Collector
Waste Disposal Truck Driver
Parking Serviceman
Parking Meter Repairman
Water Meter Repair Leadman

## C. CITY RECOGNITION

The Union recognizes the Director of Personnel and Labor Relations as the designated representative of the city, pursuant to Fresno Municipal Code Section 2-1914 (provided, however, that the Council may designate, by resolution, some other person as such representative), and shall meet and confer in good faith promptly upon request by the City and continue for a reasonable period of time in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement on matters within the scope of representation at least one week prior to the last regular Council meeting at which the City budget must be adopted for the ensuing fiscal year in order to meet the June 30 deadline specified in the City Charter. In order that the meet and confer process includes adequate time for the resolution of impasses, the City will entertain meet and confer process proposals from the Union as early as March 1, 1974; in the event that agreement has not been reached by at least May 31, 1974, the City and the Union shall jointly initiate the impasse resolution procedure sequence as set forth in Fresno Municipal Code, Section 2-1916, RESOLUTION OF IMPASSES.

## D. RECOGNITION OF MUTUAL OBLIGATION

The Union and the City recognize and acknowledge their mutual obligation and responibility to effectuate the purposes set forth in, and to adhere to the conditions and clauses set forth in, this Memorandum of Understanding.

## E. STRIKES AND LOCKOUT

1. No lockout of employees shall be instituted by the City during the term of this Memorandum of Understanding.

2. No strikes of any kind shall be caused or sanctioned by the Union during the term of this Memorandum of Understanding, as specified in Section 2-1923 of the Fresno Municipal Code.

# ARTICLE V

## SCOPE OF REPRESENTATION

### A. GENERAL

"Scope of representation" is defined in Fresno Municipal Code Section 2-1903 (w), as follows:

> "Scope of representation" means all matters relating to employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment. Employee rights, as set forth in Section 2-1904, and city rights as set forth in Section 2-1905(a), are excluded from the scope of representation.

### B. GRIEVANCE

(1) The Union may represent employees covered by this Memorandum of Understanding on grievances under any city grievance procedure, and on employee appeals allowed by city code or rule.

(2) (a) The Union's Chief Steward shall be excused from his regular duties for such time as is necessary to attend and represent Union members at grievance hearings.

(b) In scheduling the time and place of such grievance hearings the Director of Personnel and Labor Relations and the Chief Steward shall consider the possible disruption of the work force and work flow and shall therefore schedule times and places which minimize disruptions.

# ARTICLE VII

## TUITION REIMBURSEMENT

A. POLICY

It is the policy of the City of Fresno to encourage its employees to take educational and training courses which will better enable them to carry out their present duties and prepare them for increased responsibility.

B. RESPONSIBILITIES

1. Department Heads are responsible for insuring that all employees are informed of the availability and desirability of using the tuition reimbursement program.

2. The Department of Personnel and Labor Relations is responsible for administration of the training and education assistance program.

C. POLICY AND PROCEDURE

The policy and procedure governing tuition reimbursement is set forth in Administrative Manual 9-3(Revised).

# ARTICLE VI

## AFFIRMATIVE ACTION

A. The City and the Union agree to take affirmative action to insure that City employees are employed, and that employees are treated during employment, without regard to their race, color, religion, creed, ancestry, or national origin.

B. The Union shall participate in any affirmative action program officially adopted by or carried out by the City.

C. The Union agrees not to discriminate, concerning membership in, or powers or privileges of members of, the Union in regard to race, color, religion, creed, ancestry, or national origin.

D. The City and the Union recognize that minority employment problems are a major City-Union concern. Therefore, the City and the Union shall establish a City-Union Affirmative Action Committee to study the employment problems of minorities. The Committee shall consist of five members. Two members shall be appointed by the City; two members shall be appointed by the Union. The Chairman, the fifth member, of the Committee will be selected by mutual agreement of the aforementioned four members and appointed by the Chief Administrative Officer.

The two Committee members appointed by the Union shall be excused from their regular duties, in the event that it is necessary to hold Committee meetings on City time, for such time as is necessary to attend such meetings.

In scheduling the time and place of such Committee meetings, the Chairman of the City-Union Affirmative Action Committee shall consider the possible disruption of the work force and work flow and, therefore, schedule meeting times and places which minimize disruption.

## ARTICLE VIII

## SPECIAL STUDIES

### A. GENERAL

The Union and the City agree to cooperate in the completion of a special study to be known as a CRITICAL TASK ANALYSIS.
The Union and the City agree to mutually develop a special study known as a TOTAL COMPENSATION/BENEFITS PACKAGE.

The Union and the City further agree that the results of these studies shall be used in the meet and confer process in the endeavor to reach agreement for the Memorandum of Understanding which will take effect on July 1, 1974.

### 1. CRITICAL TASK ANALYSIS

The City shall train a maximum of five union stewards in the practices and techniques of Critical Task Analysis in order that they shall assist the City in its development of the following:

(i) job specifications that accurately reflect critical job elements/tasks;

(ii) minimum qualification standards which are based on the requirements of the job;

(iii) examinations which reflect actual job content and are therefore predictive of actual performance on the job;

(iv) performance standards which are directly related to job assignments/content;

(v) updating/modernization of the current classification plan and possible career ladders; and

(vi) an equitable, internally as well as externally, pay plan (except that in event of conflict, the external indicators shall prevail).

### 2. TOTAL COMPENSATION/BENEFIT PACKAGE

(a) The City and the Union agree that the term "prevailing wage" shall include all aspects of employment, ie: wages, hours, supplemental benefits, and the terms and conditions of employment, and shall be conceptualized as a Total Compensation/Benefit Package.

(b) It is the intent of this agreement to develop indices which will indicate whether the City of Fresno's employees receive above or below a prevailing Total Compensation/Benefits Package.

(c) These indices will result from a cost study of all elements in a Total Compensation/Benefits Package.

(d) In the comparison of the wage element between private industry and public industry, civil service job tenure or security shall be worth two percent (2%) of private industry wages, unless the study reveals that private industry employees enjoy like tenure or security.

## ARTICLE IX

## PAYROLL DEDUCTION

### A. GENERAL

1. The City shall deduct the dues or benefit premiums, or both, upon proper authorization by Union members in the Non-Supervisory Blue Collar unit.

2. If a member in the Non-Supervisory Blue Collar unit desires the city to deduct his dues or benefit premiums from his paycheck, a deduction authorization shall be made upon a Dues Deduction Authorization card in the form appended to this Memorandum of Understanding as an Exhibit.

3. A Dues Deduction Authorization card may be revoked by a member in the Non-Supervisory Blue Collar unit, and the dues or benefit deduction cancelled, only during the months of November and December, 1973, and said months of ensuing years.

4. If a member in the Non-Supervisory Blue Collar unit desires to revoke his prior dues deduction authorization card, a dues deduction revocation shall be made upon a Dues Deduction Revocation card in the form appended to this Memorandum of Understanding as an Exhibit.

5. Dues Deduction Authorization and Revocation cards shall be available at the office of the Director of Personnel and Labor Relations.

### B. EXCEPTIONS TO DUES DEDUCTION AUTHORIZATION CARD

The members earnings must be sufficient after other legal and required deductions are made to cover the amount of the dues deduction authorized. When a member is in a nonpay status for an entire pay period, no dues deduction shall be made from future earnings to cover that pay period, nor will the member deposit with the Controller the amount which would have been deducted if the member had been in a pay status during that period. In the case of a member who is in a nonpay status during only a part of the pay period and the salary is not sufficient to cover other legal and required deductions, no dues deduction or deposit shall be made.

### C. DUES DEDUCTION CHECK

1. The deduction check covering all such deductions shall be transmitted
to: District Council 94, AFSCME, AFL-CIO
at: 936 "N" Street, Suite "B", Fresno, California 93721.

2. The deduction check shall be made in favor of: District Council 94, AFSCME, AFL-CIO.

3. A deduction check will be transmitted at least monthly.

## D. DUES CHECKOFF

Rules governing dues checkoff are set forth in Section 2-1919 of the Fresno Municipal Code.

# ARTICLE X

## MODIFICATIONS

### A. GENERAL

1. No city rule, regulation, or policy governing wages, hours, or other terms and conditions of employment will be affected by this Memorandum of Understanding unless explicitly modified or restricted in this article.

2. In the event a City rule, regulation, or policy is modified or restricted in this article, the City shall take such steps necessary to change such rule or regulation or policy by amendment thereof to effect such modification or restriction.

### B. WAGE SCHEDULE

1. The following monthly wage schedule shall be in effect September 1, 1972, until June 30, 1973, inclusive:

| JOB CODE | CLASS TITLE | RANGE NO. OR SALARY | Step A | Step B | Step C | Step D | Step E |
|---|---|---|---|---|---|---|---|
| A 95 | Parking Meter Collector | 200 | 553 | 581 | 610 | 641 | 673 |
| A 97 | Meter Reader | 185 | 514 | 540 | 567 | 595 | 625 |
| D 31 | Storeskeeper | 220 | 610 | 641 | 673 | 707 | 742 |
| D 35 | Automotive Partsman | 220 | 610 | 641 | 673 | 707 | 742 |
| P 11 | Parks Maintenanceman | 195 | 540 | 567 | 595 | 625 | 657 |
| P 14 | Senior Parks Maintenanceman | 225 | 625 | 657 | 690 | 724 | 760 |
| P 16 | Parks Maintenance Leadman | 245 | 690 | 724 | 760 | 798 | 838 |
| P 33 | Landscape Gardner | 225 | 625 | 657 | 690 | 724 | 760 |
| P 53 | Tree Trimmer | 240 | 673 | 707 | 742 | 779 | 818 |
| P 55 | Tree Trimmer Foreman | 250 | 707 | 742 | 779 | 818 | 859 |
| P 73 | Warehouseman Carpenter | 250 | 707 | 742 | 779 | 818 | 859 |
| P 75 | Camp Caretaker-Carpenter | 255 | 724 | 760 | 798 | 838 | 880 |
| R 13 | Zoo Attendant | 205 | 567 | 595 | 625 | 657 | 690 |
| R 15 | Senior Zoo Attendant | 230 | 641 | 673 | 707 | 742 | 779 |
| S 12 | Water Serviceman | 225 | 625 | 657 | 690 | 724 | 760 |
| S 14 | Water Service Leadman | 245 | 690 | 724 | 760 | 798 | 838 |
| S 52 | Sewerman | 225 | 625 | 657 | 690 | 724 | 760 |
| S 54 | Sewer Leadman | 245 | 690 | 724 | 760 | 798 | 838 |
| S 81 | Sewage Treatment Plant Opr. I | 195 | 540 | 567 | 595 | 625 | 657 |
| S 82 | Sewage Treatment Plant Opr. II | 230 | 641 | 673 | 707 | 742 | 779 |
| T 07 | Utilityman | 140 | 412 | 433 | 455 | 478 | 502 |
| T 08 | Utility Leadman | 245 | 690 | 724 | 760 | 798 | 838 |
| T 11 | Laborer | 195 | 540 | 567 | 595 | 625 | 657 |
| T 12 | Irrigator | 195 | 540 | 567 | 595 | 625 | 657 |
| T 14 | Maintenance & Construction Man | 225 | 625 | 657 | 690 | 724 | 760 |
| T 31 | Light Equipment Operator | 230 | 641 | 673 | 707 | 742 | 779 |
| T 33 | Equipment Operator | 250 | 707 | 742 | 779 | 818 | 859 |
| T 35 | Heavy Equip. Opr.(Street Sweeping) | 250 | 707 | 742 | 779 | 818 | 859 |
| T 37 | Heavy Equipment Operator | 265 | 760 | 798 | 838 | 880 | 924 |
| T 39 | Dragline Operator | 285 | 838 | 880 | 924 | 970 | 1019 |
| T 53 | Street Maintenance Leadman | 245 | 690 | 724 | 760 | 798 | 838 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T 62 | Traffic Maintenanceman | 225 | 625 | 657 | 690 | 724 | 760 |
| T 64 | Traffic Maintenance Leadman | 245 | 690 | 724 | 760 | 798 | 838 |
| T 82 | Combination Welder | 250 | 707 | 742 | 779 | 818 | 859 |
| U 33 | Radio Technician | 275 | 798 | 838 | 880 | 924 | 970 |
| U 51 | Equipment Serviceman [illegible] on 1-1-72 | 205 | 567 | 595 | 625 | 657 | 690 |
| U 53 | Park Equipment Mechanic | 225 | 625 | 657 | 690 | 724 | 760 |
| U 55 | Treatment Plant Mechanic | 240 | 673 | 707 | 742 | 779 | 818 |
| U 61 | Equipment Mechanic I | 250 | 707 | 742 | 779 | 818 | 859 5% |
| U 62 | Equipment Mechanic II | 250 | 707 | 742 | 779 | 818 | 859 |
| U 66 | Body and Fender Repairman | 250 | 707 | 742 | 779 | 818 | 859 |
| U 67 | Automotive Painter | 250 | 707 | 742 | 779 | 818 | 859 |
| U 72 | Equipment Inspector | 265 | 760 | 798 | 838 | 880 | 924 |
| U 74 | Equipment Repair Shop Leadman | 265 | 760 | 798 | 838 | 880 | 924 |
| U 82 | Park Equipment Foreman | 265 | 760 | 798 | 838 | 880 | 924 |
| V 11 | Janitor | 155 | 444 | 466 | 490 | 514 | 540 |
| V 13 | Building Maintenanceman | 225 | 625 | 657 | 690 | 724 | 760 |
| V 15 | Senior Building Maintenanceman | 245 | 690 | 724 | 760 | 798 | 838 |
| V 33 | Stagehand | 250 | 707 | 742 | 779 | 818 | 859 |
| V 35 | Senior Stagehand | 260 | 742 | 779 | 818 | 859 | 902 |
| W 11 | Waste Collector | 205 | 567 | 595 | 625 | 657 | 690 |
| W 13 | Waste Disposal Truck Driver | 230 | 641 | 673 | 707 | 742 | 779 |
| X 31 | Parking Serviceman | 205 | 567 | 595 | 625 | 657 | 690 |
| X 32 | Parking Meter Repairman | 225 | 625 | 657 | 690 | 724 | 760 |
| X 35 | Water Meter Repair Leadman | 245 | 690 | 724 | 760 | 798 | 838 |

2. (a) On July 1, 1973, the wage schedule set forth in subsection B. 1. of this article shall be modified in accordance with the provisions set forth in subsection C. of this article, Total Compensation/Benefit Package, provided, however, that the wage schedule effective on July 1, 1973 shall also have been adjusted downward by 5.5% prior to such modification, to offset the health and welfare cost increase effective as of September 1, 1972.

(b) The July 1, 1973 modified wage schedule shall be in effect from July 1, 1973 until the termination of this Memorandum of Understanding as set forth in Article XII, Termination.

(c) The 5.5% downward adjustment, noted in subsection B. 2.(a) of this article shall be made from the "prevailing wage" for as long as the Union represents this unit.

C. TOTAL COMPENSATION/BENEFIT PACKAGE

1. The City and the Union agree that the term "prevailing wage", as set forth in the Charter Section 809, SALARIES AND WAGES, shall include all aspects of employment, i.e., wages, hours, supplemental/fringe benefits, and the terms and conditions of employment. This expanded definition of the term "prevailing wage" shall be known as Total Compensation/Benefit Package.

2. It is the intent of this agreement to develop indices which will indicate whether the City of Fresno's employees receive above, exactly the same as, or below a prevailing Total Compensation/Benefit Package.

3. These indices will result from a cost study of all elements in a Total Compensation/Benefit Package.

4. In the comparison of the wage element between private industry and public industry, civil service job tenure or security, shall be worth 2% of private industry wages, unless the study reveals that private industry employees enjoy as much tenure or security as civil service employees.

5. (a) In the event that the City and the Union have not agreed, prior to June 30, 1973, to a method of determining a prevailing Total Compensation/Benefit Package, the wage schedule set forth in subsection B. 1. of this article above shall be modified in accordance with the provision set forth in subsection D of this article below, Cost of Living Adjustment, provided, however, that the wage schedule in effect on July 1, 1973 shall also have been adjusted downward by 0.75% prior to such modification to offset the 0.75% retirement cost increase effective as of July 1, 1972.

   (b) In the event that the wage schedule is modified pursuant to subsection C 5.(a) of this article, the modified wage schedule shall be in effect from July 1, 1973 until the termination of this Memorandum of Understanding as set forth in Article XII, Termination.

D. COST OF LIVING ADJUSTMENT

1. The term "index" as used herein, shall mean the Consumer Price Index - Pacific Cities and U. S. average, for Los Angeles-Long Beach, published monthly by the Bureau of Labor Statistics, Department of Labor, U. S. Government.

2. (a) The percentage change of the Index for the month of March 1973 as compared to the index for March of the previous year, 1972, shall be computed to three decimal places and rounded to the nearest one-half of one percent. The monthly salary for each class in the Non-Supervisory Blue Collar Unit shall, on July 1, 1973, be adjusted one-half of one percent for each one-half of one percent change in the Index.

   (b) The following MATRIX TABLE, page 21 of this Memorandum of Understanding, shall be used in the cost of living adjustment.

E. RETIREMENT

Additional retirement benefits, in accordance with the existing contribution formulae, shall be provided for employees in the Non-Supervisory Blue Collar Unit who are members of the employee's retirement system, as follows:

1. The determination of "final compensation" for the purpose of computing retirement allowances shall be the compensation in effect at the time of retirement which would have been earnable, pursuant to the definition of "Compensation earnable" as set forth in Section 2-1801 of the Fresno Municipal Code, for the position or positions served in during the highest three years of the retiree's employment.

2. The maximum percentage of the cost of living adjustment provided in Section 2-1840.4 of the Fresno Municipal Code, shall be increased from three percent to five percent.

## F. SENIORITY

1. Work Assignment. Whenever two or more employees shall possess and exhibit the same degree of merit for the purposes of assignment, as determined by the City, the assignment shall be given to the employee having the greater seniority in the class, and in the event the seniority is the same in the class, the assignment shall be given the employee with the total greater seniority in a permanent appointment in the City service.

2. Definition. "Seniority in the Class" means an employee's length of continuous service as a permanent employee in his present class.

   Continuous Service. In calculating an employee's period of continuous service in a class, time during which the employee is under suspension from duty, serving under permanent appointment in or demotion to another class, or on any leave of absence without pay, shall not be included; provided however, that a military leave of absence shall not be considered a break in continuous service.

3. Seniority lists. Every six months, beginning on November 1, 1972, the City shall supply to the Union the seniority lists showing the continuous service in each class and continuous service in a permanent appointment in the City service of members of the Non-Supervisory Blue Collar Unit.

## G. CALLBACK PAY

Any employee called to work outside of his regularly scheduled work shift shall be paid for a minimum of two hours at overtime pay.

## H. MEAL AND REST PERIODS

1. All employees shall be allowed an unpaid lunch break during each working day. Whenever possible, the lunch break shall be scheduled at or near the middle of the work day.

2. All employees shall be allowed coffee breaks not to exceed fifteen minutes, during each four consecutive hours of work, without loss of pay. Coffee breaks and locations shall be scheduled by supervisors consistent with the work load, and may be required to be taken in connection with travel from the dispatch point to the beginning of the route or work site, can be attached to and become part of the lunch hour, or can be attached to and become a part of the return to the dispatch point at the end of the work day; these schedules are in addition to the possibility of the occurrence of the coffee break at mid-morning and mid-afternoon of the shift. No employee shall use a City vehicle to go off an assigned route, assigned work site, or away from normal travel routes for coffee breaks. Crews with radio equipped vehicles may be required to radio in the time of the beginning, end, and location of coffee breaks.

## I. HAZARDOUS WORK

1. Radio Technicians, on specific assignment from the Assistant Director of Public Works-Services, working on poles at a height of 75 feet or more, on towers at a height of 100 feet or more on other than a tower erection shall receive double time rate of pay for all such time worked at such heights. Thirty minutes or more of such work shall entitle the Radio Technician to such premium rate for that half day. Work performed in trees shall receive time and one-half up to 60 feet. Work in excess of 60 feet, double time.

## M. STANDBY ASSIGNMENTS

1. Any employee who is required to remain on standby duty shall be allowed compensation at the rate of two (2) hours for each day during which he also works a shift, and at the rate of four (4) hours for each day which is a day off.

2. Standby pay shall not be in addition to call-back pay, but any compensation for call-back while on standby shall be deducted from the compensation for standby for that day only.

3. A day is defined in this section as a 24-hour period commencing at midnight.

4. An employee on standby must give a single telephone number of a location where he will be available during standby, and must remain at that location during the entire standby period, except when called for city business.

## N. SPECIAL RULES FOR WASTE DISPOSAL DIVISION

1. Special Overtime Compensation:

   Section 7(b) of Salary Resolution 71-217 shall be amended to cover all employees in this unit who work in the Waste Disposal Division, except those on light duty status. Section 7(b) (2) shall be deleted, and Section 7(b) (3) shall be renumbered Section 7(b) (2).

2. Overtime Compensation:

   Each employee in this unit who works in the Waste Disposal Division, for an ordinary week of work, shall receive overtime pay after the first forty hours of work at straight time during such week, with such weeks commencing on Monday and ending Sunday. Whenever a holiday falls on a regularly scheduled work day (and is not worked), the employee shall receive overtime pay for regularly scheduled working days after the first thirty-two hours worked, and when two holidays fall on regularly scheduled working days within one week, the overtime for regularly scheduled working days shall be paid after twenty-four hours work. In the event the employee works on a holiday or a regularly scheduled day off, overtime shall be paid as specified in the Salary Resolution as revised in subsection N. 1. of this article.

3. Special Work Week:

   Waste collectors and waste disposal drivers work by assigned routes, the actual work upon which varies according to the amounts of waste placed for collection by the customers, and is not fully subject to work planning. The work includes such collection and varied duties including, but not limited to, the collection of special pickups, misses,

2. Pursuant to subsection L. 1.(b) of this article, by June 30, 1973, the Union and City shall agree in writing as to what classes involve hazardous work, when the hazardous work occurs, what the hazards are, and what premium pay rates should apply. The amount of premium pay so agreed to shall take effect on July 1, 1973.

## J. WORK RULES

City agrees to furnish to Union and each Union steward, by November 1, 1972, copies of all work rules in existence as of October 1, 1972. All new work rules adopted, amended, or repealed in the future will be posted on applicable employee representative bulletin boards ten days before the new or changed rule becomes effective.

## K. CHARTER SECTION 809

It is understood by the Union that all employees of the City are subject to a determination that the class in which they serve is a group or craft required to be compensated in accordance with the second paragraph of Section 809 of the Charter of the City of Fresno; that, therefore, notwithstanding any provision to the contrary contained in this Memorandum of Understanding, should any class of city employee now in or hereafter included in the Non-Supervisory Blue Collar Unit be determined to be a group or craft required to be compensated under said second paragraph of Section 809, employees in said class shall be compensated in accordance with the rate or rates of pay established pursuant to said Charter provision.

## L. INTERIM MEETING AND CONFERRING

1. The City and the Union shall begin the Meet and Confer process not later than October 1, 1972 for the purpose of:

(a) Identification of the classifications which shall receive priority in the Critical Task Analysis studies.

(b) Identification and study of those classifications or positions which shall receive hazardous duty compensation.

(c) Development of a mutually acceptable grievance procedure. The Union agrees that it is not in the best interest of the City to develop and agree to a specific grievance procedure for a specific unit. Therefore, the City's agreement is contingent upon a universal applicability of a grievance procedure.

(d) Development of a Total Compensation/Benefit Package, a definition and intent of which are set forth in subsection A. 2. ARTICLE VIII, SPECIAL STUDIES.

(e) Establishment of a Health and Safety Committee, which shall be composed of an equal number of representatives from the City and the Union, and which representatives shall mutually select one (1) additional member, who may not be an employee or an elected or appointed official of the City. The purpose of this committee shall be to advise City management of matters relating to health and safety in City employment.

disposal of the day's refuse at disposal site, return and check-in at the dispatch office, and participation in any necessary briefing or training sessions. For these reasons, the length of work days during a week necessary to collect a route is subject to variation, and it can be expected that there will be certain days on which route collections and completion of necessary activities, which are not reasonable and practical to schedule except following the completion of the collections route, are completed in less than eight working hours, in which case the collectors and drivers shall be excused before the completion of eight hours of work. It is agreed that for each work week, each employee shall be paid for forty hours (less allowance for days on which he is on a non-pay status, including, but not limited to, appointment other than at the start of the first working day of the week, termination other than at the end of the last working day of the week, leave of absence without pay, or disciplinary suspension).

## O. FRESNO CITY EMPLOYEES' HEALTH AND WELFARE BENEFIT TRUST

The City and Union shall, be separate agreement, establish a Fresno City Employee's Health and Welfare Benefit Trust for the purpose of medical, hospital, drug, dental, eye, or such other benefits as determined by the trustees, and the city shall provide the sum of $58.00 for each eligible employee in the Non-Supervisory Blue Collar unit. Of said sum, the amount of $24.95 represents the current expenditure per such employee per month for the city basic health plan now in effect. All additional benefits purchased by the additional $33.05 will be in addition to such present plan.

Said $24.95 basic plan shall be known as "Plan A." Another plan of benefits in the amount of $16.00 also to be administered by the trustees shall, together with said Plan A, be known as "Plan B." The benefits acquired by the above said $33.05 and to be administered by the trustees, shall. together with said Plan A, be known as "Plan C."

## P. NIGHT SHIFT PREMIUM PAY

1. Each employee in this unit who is assigned to work a "night shift" shall receive premium pay in addition to that set forth for his classification in subsection B. of this article. The premium pay shall be an additional 5% for each "night shift" worked by the employee.

2. "Night Shift", as used in this article is defined as a shift in which an employee works more than four hours between the hours of 5:00 p.m. and 8:00 a.m. If an employee is assigned to work a shift wherein he works more than four hours between the hours of 5:00 p.m. and 8:00 a.m., the shift shall be known as a "night shift" and the employee shall receive "night shift" premium pay for the complete eight hour shift.

## MATRIX TABLE

| | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|---|---|---|---|---|---|---|---|---|---|---|
| 10 | 338 | 340 | 342 | 343 | 345 | 347 | 349 | 351 | 352 | 353 |
| 11 | 355 | 357 | 359 | 360 | 362 | 364 | 366 | 368 | 370 | 371 |
| 12 | 373 | 375 | 377 | 378 | 380 | 382 | 384 | 386 | 388 | 390 |
| 13 | 392 | 394 | 396 | 398 | 400 | 402 | 404 | 406 | 408 | 410 |
| 14 | 412 | 414 | 416 | 418 | 420 | 422 | 424 | 426 | 429 | 431 |
| 15 | 433 | 435 | 437 | 440 | 442 | 444 | 446 | 448 | 451 | 453 |
| 16 | 455 | 457 | 459 | 462 | 464 | 466 | 468 | 471 | 473 | 476 |
| 17 | 478 | 480 | 482 | 485 | 488 | 490 | 492 | 495 | 497 | 500 |
| 18 | 502 | 504 | 506 | 509 | 512 | 514 | 517 | 519 | 522 | 525 |
| 19 | 527 | 530 | 532 | 535 | 537 | 540 | 543 | 545 | 548 | 550 |
| 20 | 553 | 556 | 559 | 561 | 564 | 567 | 570 | 572 | 575 | 578 |
| 21 | 581 | 584 | 587 | 589 | 592 | 595 | 598 | 601 | 604 | 607 |
| 22 | 610 | 613 | 616 | 619 | 622 | 625 | 628 | 631 | 635 | 638 |
| 23 | 641 | 644 | 647 | 651 | 654 | 657 | 660 | 663 | 667 | 670 |
| 24 | 673 | 676 | 680 | 683 | 687 | 690 | 693 | 696 | 700 | 704 |
| 25 | 707 | 710 | 714 | 717 | 720 | 724 | 728 | 731 | 735 | 738 |
| 26 | 742 | 746 | 750 | 753 | 756 | 760 | 764 | 768 | 771 | 775 |
| 27 | 779 | 783 | 787 | 790 | 794 | 798 | 802 | 806 | 810 | 814 |
| 28 | 818 | 822 | 826 | 830 | 834 | 838 | 842 | 846 | 851 | 855 |
| 29 | 859 | 863 | 867 | 872 | 876 | 880 | 884 | 889 | 893 | 898 |
| 30 | 902 | 906 | 910 | 915 | 920 | 924 | 929 | 933 | 938 | 942 |
| 31 | 947 | 951 | 956 | 961 | 966 | 970 | 975 | 980 | 985 | 989 |
| 32 | 994 | 999 | 1004 | 1009 | 1014 | 1019 | 1024 | 1029 | 1034 | 1039 |
| 33 | 1044 | 1049 | 1054 | 1059 | 1065 | 1070 | 1075 | 1080 | 1086 | 1091 |
| 34 | 1096 | 1101 | 1107 | 1112 | 1118 | 1123 | 1129 | 1134 | 1140 | 1146 |
| 35 | 1151 | 1157 | 1163 | 1168 | 1174 | 1180 | 1186 | 1192 | 1197 | 1203 |
| 36 | 1209 | 1215 | 1221 | 1227 | 1233 | 1239 | 1245 | 1251 | 1257 | 1263 |
| 37 | 1269 | 1275 | 1281 | 1288 | 1294 | 1300 | 1307 | 1313 | 1319 | 1326 |
| 38 | 1332 | 1339 | 1345 | 1352 | 1359 | 1365 | 1372 | 1379 | 1385 | 1392 |
| 39 | 1399 | 1404 | 1413 | 1420 | 1427 | 1434 | 1441 | 1448 | 1455 | 1462 |
| 40 | 1469 | 1476 | 1483 | 1491 | 1498 | 1505 | 1513 | 1520 | 1527 | 1535 |
| 41 | 1542 | 1550 | 1557 | 1565 | 1572 | 1580 | 1588 | 1596 | 1603 | 1611 |
| 42 | 1619 | 1627 | 1635 | 1643 | 1651 | 1659 | 1667 | 1676 | 1684 | 1692 |
| 43 | 1700 | 1708 | 1717 | 1725 | 1734 | 1742 | 1750 | 1759 | 1768 | 1776 |
| 44 | 1785 | 1794 | 1803 | 1811 | 1820 | 1829 | 1838 | 1847 | 1856 | 1865 |
| 45 | 1874 | 1883 | 1892 | 1902 | 1911 | 1920 | 1930 | 1939 | 1949 | 1958 |
| 46 | 1968 | 1977 | 1987 | 1997 | 2006 | 2016 | 2026 | 2036 | 2046 | 2056 |
| 47 | 2066 | 2076 | 2086 | 2097 | 2107 | 2117 | 2127 | 2138 | 2148 | 2159 |
| 48 | 2169 | 2180 | 2190 | 2201 | 2212 | 2223 | 2234 | 2245 | 2255 | 2266 |
| 49 | 2277 | 2289 | 2300 | 2311 | 2323 | 2334 | 2346 | 2357 | 2368 | 2379 |
| 50 | 2391 | 2403 | 2415 | 2427 | 2439 | 2451 | 2463 | 2475 | 2487 | 2499 |
| 51 | 2511 | 2524 | 2536 | 2549 | 2561 | 2574 | 2587 | 2599 | 2612 | 2624 |
| 52 | 2637 | 2650 | 2663 | 2677 | 2690 | 2703 | 2716 | 2729 | 2743 | 2756 |
| 53 | 2769 | 2783 | 2796 | 2810 | 2824 | 2838 | 2852 | 2865 | 2879 | 2893 |
| 54 | 2907 | 2921 | 2936 | 2950 | 2965 | 2979 | 2994 | 3008 | 3023 | 3038 |
| 55 | 3052 | 3067 | 3083 | 3098 | 3113 | 3128 | 3143 | 3158 | 3174 | 3190 |
| 56 | 3205 | 3221 | 3237 | 3252 | 3268 | 3284 | 3300 | 3316 | [illegible] | [illegible] |

## ARTICLE XI

## SAVING CLAUSE

In the event any article, section or portion of this Memorandum of Understanding should be held invalid and unenforceable in any court of competent jurisdiction, such decision shall apply only to the specific article, section or portion thereof specifically specified in the court's decision, and upon issuance of such a decision, the City and the Union agree to immediately meet and confer upon a substitute for the invalidated article, section, or portion thereof.

## ARTICLE XII

## TERMINATION

This Memorandum of Understanding shall be effective as of the 1st day of September, 19 except as to the retirement provision, which shall be effective as of July 1, 1972, and shall remain in full force and effect through the 30th day of June, 1974. It shall be automatically renewed each year thereafter unless either party shall notify the other in writing at least sixty days prior to July 1, 1974, that it desires to modify this Memorandum of Understanding. In the event that such notice is given, the meet and confer process shall begin not later than thirty days prior to July 1, 1974. This Memorandum of Understanding shall remain in full force and be effective during the period of meeting and conferring and until notice of termination of this Memorandum of Understanding is provided to the other party in the manner set forth in the following paragraph.

In the event that either party desires to terminate this Memorandum of Understanding, written notice must be given to the other party not less than ten days prior to the desired termination date which shall not be before the July 1, 1974, date set forth in the preceding paragraph.

In witness whereof, the parties hereto have set their hands this 31st day of August, 1972.

FOR THE UNION:

Henry E Banuelos
President

Vice-President

Secretary-Treasurer

Executive Director,
District Council #94

FOR THE CITY:

Chief Administrative Officer

Director of Personnel
and Labor Relations

Department #__________ **DUES DEDUCTION AUTHORIZATION** NEW () CHANGE ()

S.S.A.#___ __ ______

I, ________________________________________, employed as a
(Print full name)

________________________________________, authorize and direct the
(Print Classification/Job Title)
Controller of the City of Fresno to make a payroll deduction from my earnings for my employee organization dues in the amount of $__________ per payroll period, to be paid to ________________________________________
(Name of formally recognized employee
________________________. This authorization may be canceled and the
organization)
payroll deduction discontinued upon written notice to the Controller during the last two months of a calendar year following the first full year of formal recognition of said organization.

The first deduction is authorized as soon as practicable after receipt of this authorization by the Controller.

I further authorize the deduction of any different amounts voted for, pursuant to the provisions of the Articles or By-laws at a general membership meeting and certified by the President of , and this authorization shall remain in full force and effect until rescinded by me on the proper card.

DUES $______________

______________________________ ____________ INS. $______________
Signature of Employee Date

OTHER$______________

TOTAL$______________
(Semi-Monthly)

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

## DUES DEDUCTION REVOCATION

I, ________________________________, employed as a
(Print full name)

________________________________________, hereby cancel all dues
(Print classification title)

deduction authorizations heretofore signed by me.

__________________________
Date

________________________________
Signature of Employee

μσ915

EXHIBIT
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